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Congressional Record

PROCEEDINGS AND DEBATES OF THE 90th CONGRESS, FIRST SESSION

SENATE

WEDNESDAY, NOVEMBER 1, 1967

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

Bishop W. Earl Ledden, Wesley Theological Seminary, Washington, D.C., offered the following prayer:

Almighty God, who hast made and preserved us a nation, use now this Nation we pray, to help establish Thy way among men. The earth is Thine and all the fullness thereof, the world and they that dwell therein. But we have turned, everyone, to his own way, and made it a world of anarchy and dissension.

Forgive us, O Lord, and renew a right spirit within us. May we not feel righteous merely because we have, with eloquence, cursed the dark, while, with negligence, we have failed to light the candles. May light shine forth from this exalted place this day, Thy word is light.

Thou didst speak to our fathers and give them words of living truth for the liberation of the human spirit. Their inspired words were heard around the world.

Grant, O Lord, that this day there may be spoken in this place, by Thy grace, words that will be heard across all lands for the healing of the nations. May the power of this great Nation be exerted for peace and justice and human compassion, so that the peoples and races of all mankind may have reason to rejoice with us that Thou hast made and preserved us a nation.

In His 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. Geisler, one of his secretaries, and he announced that on October 31, 1967, the President had approved and signed the following acts and joint resolution:

S. 43. An act for the relief of Mi Soon Oh;

S. 63. An act for the relief of Dr. Enrique Alberto Rojas-Vila;

S. 64. An act for the relief of Dr. Luis Osvaldo Martinez-Farinas;

S. 221. An act for the relief of Dr. Armando Perez Simon;

S. 440. An act for the relief of Dr. Julio Alejandro Solano;

S. 733. An act for the relief of Sabiene Elizabeth DeVore;

S. 741. An act for the relief of Rumiko Samanski;

S. 821. An act for the relief of Dr. Julio Domingo Hernandez;

S. 975. An act for the relief of Mitsuo Blomstrom;

S. 1021. An act for the relief of Antonio Luis Navarro;

S. 1106. An act for the relief of Dr. David Castaneda;

S. 1110. An act for the relief of Dr. Manuel Alpendre Seisdedos;

S. 1197. An act for the relief of Dr. Lucio Arsenio Travieso y Perez;

S. 1269. An act for the relief of Dr. Gonzalo G. Rodriquez;

S. 1279. An act for the relief of Dr. Francisco Montes;

S. 1280. An act for the relief of Dr. Alfredo Pereira;

S. 1458. An act for the relief of Lee Duk Hee;

S. 1471. An act for the relief of Dr. Hugo Gonzalez;

S. 1482. An act for the relief of Dr. Ernesto Nestor Prieto;

S. 1525. An act for the relief of Dr. Mario R. Garcini;

S. 1557. An act for the relief of Dr. Carlos E. Garciga;

S. 1647. An act for the relief of Dr. Maria del Carmen Trabadelo de Arias;

S. 1678. An act for the relief of American Petrofina Co. of Texas, a Delaware corporation, and James W. Harris;

S. 1709. An act for the relief of Dr. Antonio Martin Ruiz del Castillo;

S. 1748. An act for the relief of Dr. Ramiro de la Riva Dominguez;

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

S. 1938. An act for the relief of Dr. Orlando Hipolito Maytin; and

S. J. Res. 112. Joint resolution extending the time for filing report of Commission on Urban Problems.

EXECUTIVE MESSAGES REFERRED

As in executive session,

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

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

THE JOURNAL

Mr. MANSFIELD. Mr. President I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, October 31, 1967, be dispensed with.

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

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of October 31, 1967,

Mr. HART, from the Committee on the Judiciary, reported favorably, with an amendment, on October 31, 1967, the bill (H.R. 10805) to extend the life of the Civil Rights Commission, and submitted a report (No. 704) thereon, which was printed.

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.

CIVIL RIGHTS COMMISSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 688, H.R. 10805.

The PRESIDING OFFICER (Mr. HART in the chair). The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 10805) to extend the life of the Civil Rights Commission.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary, with an amendment, on page 1, after line 6, insert a new section, as follows:

SEC. 2. Section 106 of the Civil Rights Act of 1957 (71 Stat. 636; 42 U.S.C. 1975e) is amended to read as follows:

"APPROPRIATIONS

"SEC. 106. For the purposes of carrying out the provisions of this Act, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1968, and for each of the four succeeding fiscal years, the sum of $2,650,000 for each such fiscal year."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 704) explaining the purposes of the bill.

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

PURPOSE OF THE AMENDMENT

The purpose of the amendment to H.R. 10805 is to place a ceiling on the open-end appropriation authorization contained in section 106 of the Civil Rights Act of 1957. For each fiscal year until the Commission's expiration on June 30, 1968, the committee authorizes the sum of $2,650,000 to be appropriated for the purposes of carrying out the provisions of this act.

PURPOSE

The purpose of the bill, as amended, is to extend the existence of the U.S. Commission on Civil Rights from January 31, 1968, to January 31, 1973, and to place a monetary limitation thereon. Accordingly, it amends section 104(b) of the Civil Rights Act of 1957, as amended (78 Stat. 251; 42 U.S.C. 1975c(b)).

STATEMENT

House Report 389, 90th Congress, first session, covers the legislative history of and need for H.R. 10805 as follows:

"The U.S. Commission on Civil Rights is an independent, bipartisan agency which was first established by the Congress under the Civil Rights Act of 1957. Its existence was further extended under the terms of the Civil Rights Act of 1964. It is composed of six Commissioners, appointed by the President, with the advice and consent of the Senate. There is also a full-time staff director who is also a Presidential appointee.

"The President, in his message relative to racial discrimination in housing, education, voting, etc., recommended the extension, for an additional 5 years, of the U.S. Commission on Civil Rights.

"The Department of Justice, in a letter to the Speaker, House of Representatives, dated February 17, 1967, stated:

" 'The life of the Civil Rights Commission is now scheduled to expire January 31, 1968. In the past this agency has made valuable contributions to our understanding of racial problems in diverse areas. It is important that it continue to perform this function. Title VI would extend the life of the Commission for an additional 5 years.'

"The reference to title VI is contained in the bill, H.R. 5700, 90th Congress, which is pending legislation.

"Subcommittee No. 5 of the House Committee on the Judiciary, however, in considering the need for the extension of the Civil Rights Commission, concluded that legislation should be introduced to extend the life of the Commission for an additional 5 years. The chairman of the committee, Mr. Celler, at the direction of all the members of that subcommittee, introduced the bill, H.R. 10805, and all of those members cosponsored this legislation.

"At the request of the subcommittee, the U.S. Commission on Civil Rights was requested to present a memorandum on its functions, reports, activities, and the need for this extension. That memorandum is hereby attached and made a part of this report."

The committee, after a review of the foregoing, concurs in the action of the House of Representatives and recommends that the bill, H.R. 10805, as amended, be considered favorably.

Attached hereto and made a part hereof is a memorandum from William L. Taylor, Staff Director of the Civil Rights Commission, to William R. Foley, general counsel, Committee on the Judiciary, House of Representatives.

"Memorandum for: William R. Foley, general counsel, Committee on the Judiciary, House of Representatives.

"From: William L. Taylor.

"This is in response to your request for a memorandum concerning the responsibilities and activities of the U.S. Commission on Civil Rights.

"1. Commission functions

"The Commission, which has been in existence since 1957, performs a unique function among the several agencies in the Federal Government concerned with civil rights. Unlike most other civil rights agencies, the Commission is not charged with authority to enforce particular civil rights laws or to correct individual denials of civil rights. Rather, the Commission's function from the beginning has been to find facts—to identify the areas where inequity persists and equal opportunity is denied—and to report these facts to the President, the Congress, and the Nation.

"Specifically, the Commission is authorized by the Civil Rights Act of 1957, as amended, to—

"1. Investigate complaints alleging that citizens are being deprived of their right to vote by reason of their race, color, religion, or national origin.

"2. Investigate allegations of vote fraud.

"3. Study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution because of race, color, religion, or national origin or in the administration of justice.

"4. Appraise the laws and policies of the Federal Government with respect to denials of equal protection of the laws under the Constitution because of race, color, religion, or national origin or in the administration of justice.

"5. Serve as a national clearinghouse for civil rights information.

"Reports and recommendations

"Commission reports typically have contained recommendations for appropriate measures to correct the inequities and denials of equal opportunity disclosed by our studies and investigations. These reports and recommendations have proven their value from several standpoints: First, many of them have stimulated salutary public debate on important civil rights issues. Second, Commission reports have provided the factual base for much, of the legislative and executive action taken in the area of civil rights in recent years. Third, many Commission recommendations, although considered controversial at the time they were made, ultimately have been adopted in the form of legislation or executive action. For example, in 1959, the Commission recommended the enactment of legislation providing for Federal registrars to assure to Negroes and other minority group citizens the most basic of all rights—the right to vote. This recommendation, considered highly controversial at the time, provided the basis for the Voting Rights Act of 1965. A series of Commission recommendations aimed at assuring nondiscrimination in federally assisted programs was enacted into law as title VI of the Civil Rights Act of 1964. In fact, fully 75 percent of the recommendations made by the Commission already have been adopted. I have enclosed for your information a compilation of Commission recommendations and the action taken on them. I also have enclosed a catalog of Commission publications indicating the scope and range of Commission studies and reports.

"3. Hearings

"In collecting the information necessary for the Commission to carry out its responsibilities, we have made extensive use of public hearings. The Commission has held hearings in some 15 cities throughout the country covering a variety of civil rights problems. We have held voting hearings in Montgomery, Ala., in New Orleans, La., and in Jackson, Miss. We have held housing hearings in New York City, Chicago, Ill., Atlanta, Ga., and Washington, D.C. We have held hearings addressed to education in Rochester, N.Y., and Boston, Mass. And we have held hearings covering a full range of urban area civil rights problems in such cities as Newark, N.J., Indianapolis, Ind., Cleveland, Ohio, Memphis, Tenn., Detroit, Mich., and Phoenix, Ariz. Just a few weeks ago, the Commission held a weeklong hearing in the Bay Area of California, where it heard testimony covering the civil rights problems of Negro Americans, Mexican Americans, and Americans of Chinese ancestry.

"We have found these hearings to be valuable in several ways: First, in gathering basic facts that cannot be obtained entirely through the collection of statistics and other impersonal data; second, in obtaining the firsthand views of interested and concerned citizens as to the nature and extent of civil rights problems in their communities, and their potential solutions; third, in educating the community itself, by bringing to light problems that many in the community did not realize existed, and by stimulating public discussion and affirmative action on the local level. For example, last year, the Commission held a 5-day hearing in Cleveland, Ohio. This hearing, which was covered by live television, stimulated a great deal of public discussion in the local newspapers concerning the problems identified at the hearings, and led also to action on the part of community groups to attempt to meet these problems.

"4. Clearinghouse activity

"In addition to factfinding, the Commission has been engaged, through its clearinghouse activity, in a program of fact dissemination. The clearinghouse responsibility, authorized to the Commission in 1964, is becoming an increasingly important part of our work. One of the areas of greatest need in the field of civils rights is that of information—information not only for the experts and technicians, but also for concerned Americans generally. The Commission, in the relatively brief time during which it has had the clearinghouse responsibility, has attempted to serve this need in several ways. We have established a Technical Information Center within our Research Division with the function of gathering factual data covering matters relating to civil rights and supplying it upon request.

"In addition, the Commission has undertaken a series of clearinghouse publications which attempt briefly and succinctly to provide information on important civil rights matters. We have issued clearinghouse publications on such subjects as title VI of the Civil Rights Act of 1964, equal opportunity in hospitals and health facilities, and equal employment opportunity under Federal law. Most recently, the Commission issued a summary of its report on "Racial Isolation in the Public Schools." These clearinghouse publications have received wide circulation in communities across the country and we believe that they are serving a valuable educational purpose.

"We also have undertaken an affirmative program of cooperation with governmental, civic, and professional groups, not only on the national level, but on the State and local levels as well. We have willingly participated in conferences and discussions on civil rights problems in communities throughout the country and have made available staff and technical resources to community groups that have requested them to assist in their efforts to meet the problems that exist. For example, since publication of the Commission's report on 'Racial Isolation in the Public Schools,' Commission staff members have participated in more than 20 meetings and conferences sponsored by local community groups which have been impressed with the gravity of the school segregation problem they face and which have asked the Commission for assistance in finding ways to resolve it.

"The Commission receives valuable help in its clearinghouse activities from its State

advisory committees, consisting of concerned citizens familiar with State and local civil rights problems and who serve the Commission without compensation. State advisory committees have held numerous conferences and meetings in the South to acquaint people with their rights under Federal law and to inform them of the procedures available for securing them. In Cleveland, following the Commission's hearing there, a special committee of the Ohio Advisory Committee conducted further investigations concerning civil rights problems in that city and made recommendations for specific courses of action at the local level to deal with them.

"In short, through its clearinghouse activity, the Commission is seeking to match its traditional fact gathering activity with an equally vigorous program of fact dissemination.

"5. Need for Commission extension

"a. Need for rapid action

"In the past, the Commission's limited authorization—usually for 2 years—has presented it continually with the problem of maintaining effective continuity of its staff and program. This problem has been rendered more acute by the fact that on each occasion when the Commission has been due to expire, congressional action to extend its life has been delayed up to or beyond the time of expiration. In the 7 years between 1957 and 1964, the Commission underwent no less than four separate expirations and extensions. Each time, the Commission, as an agency scheduled to go out of business, was required to phase out its operations and its staff, and then, after extension, went through the time-consuming process of securing a new staff and planning a new program. Under its present authorization, the Commission is scheduled to expire on January 31, 1968. Only if the Commission extension is enacted well before that date can the Commission be assured of retaining its experienced and knowledgeable staff and maintaining the continuity of its program.

"b. Need for 5-year extension

"In 1964, the Congress extended the Commission for a term of some three and a half years, until January 1968. Because of the additional time afforded to the Commission, we have been able to undertake studies on a variety of issues that would not otherwise have been possible. Further, we have been able to plan for longer range projects and to carry out a more comprehensive agency program. For example, in the past, the Commission's program emphasis was on factfinding and reporting denials of civil rights to Negroes in the South. During its current authorization, the Commission has been able to launch an equally vigorous program of factfinding and research into urban civil rights problems, with emphasis on the North. The recent study on 'Racial Isolation in the Public School' is an important part of this new Commission program.

"In addition, the Commission has been able to broaden the scope of its work beyond the 'hard core' civil rights problems—such as denials of the right to vote, housing discrimination, and the persistence of legally compelled school segregation—to include examinations of the more complex problems of civil rights, and their potential solutions.

"Thus studies of voting now extend not only to elections, but to participation in the entire political process. Studies of housing now extend not only to appraising progress in assuring nondiscrimination, but also to analyzing subtler causes of unequal housing opportunity, such as the relationship between minority group income and the availability and location of housing for lower income families. Studies of education now extend not only to legally compelled school segregation, but also to school segregation resulting from factors other than legal compulsion.

"We also have been able to broaden the scope of our work to examine the ways in which denials of civil rights in one area are related to civil rights denials in other areas. For example, in the report the Commission recently issued on 'Racial Isolation in the Public Schools,' we did not confine our inquiry to the problem of unequal educational opportunities alone. To understand its full dimensions, we explored also the relationship of housing patterns to this problem and, in turn, its effect on the lack of employment opportunities for minority group members.

"The question of whether the Commission should be extended rests, of course, in the sound discretion of the Congress. We believe, however, that if the Congress determines that the Commission can continue to serve a useful function in this important area, then it should extend the Commission's life for a period of time sufficient to enable it to carry out its functions on a sound and efficient basis. A 5-year extension, as provided in the bill, would enable the Commission to be of optimum value.

"c. Continuing need for Commission

"The Commission's principal function remains to find facts. The importance of this function has not diminished over the years. There is a continuing need to appraise the changing status of civil rights—to assess the progress that has been made and to point out the areas where discrimination persists.

"There also is a continuing need for an agency independent of those which operate Federal programs, to examine specifically the impact of these programs and other Federal activity on this problem. Prior to 1964, the Commission did several major studies indicating the need for a uniform Federal policy assuring nondiscrimination in federally assisted programs. Since the enactment of title VI of the Civil Rights Act of 1964, the major emphasis of the Commission's work in appraising Federal laws and policies has been to determine whether the policy contained in that law is being effectively implemented at the Federal, State, and local levels. To this end, we maintain continuing liaison with Federal officials having title VI responsibilities. Through meetings and conferences sponsored by Commission State Advisory Committees, we attempt to determine whether federally assisted programs and activities are being administered in a nondiscriminatory manner at the State and local level. For example, our Mississippi Advisory Committee recently held a meeting concerning problems of welfare in that State. Commission staff has been conferring with appropriate HEW officials concerning the title VI problems that were uncovered through that meeting. The Commission hearing in Cleveland last year turned up problems concerning the administration of the urban renewal program in that city, which prompted the Department of Housing and Urban Development to take corrective action.

"Further, while the Commission's work has dealt principally with the civil rights problems of Negro Americans, we recognize that other minority groups, such as Mexican-Americans and American Indians, also are subject to civil rights denials and that much work needs to be done in identifying the nature of these civil rights problems and in assuring to these minority groups as well, the right to equal opportunity. The need here as well is for an independent factfinding body, divorced from agencies with responsibilities for program operation, to determine objectively what the facts are.

"In accordance with your request, I have enclosed current and projected figures relating to the Commission's budget and its personnel. I also have enclosed copies of the following reports recently issued by the Commission:

"Law Enforcement (1965).

"The Voting Rights Act (1965).

"Title VI—One Year After (1965).

"Survey of School Desegregation in the Southern and Border States, 1965–66 (1966).

"Children in Need (1966).

"Racial Isolation in the Public Schools (1967).

"Title VI of the Civil Rights Act of 1964 (1965).

"Equal Opportunity in Hospitals and Health Facilities (1965).

"Equal Employment Opportunity Under Federal Law (1966).

"CURRENT AND PROJECTED BUDGET AND PERSONNEL FOR U.S. COMMISSION ON CIVIL RIGHTS

"Fiscal year	Appropriations	Authorized permanent positions
1966	$1,925,000	129
1967	2,500,000	148
1968 (House allowance)	[1] 2,650,000	[2] 153

"[1] The President's budget called for $2,790,000. Thus the House allowance reduced the request by $140,000. The Commission will not appeal the House allowance.

"[2] The President's budget called for 156 authorized permanent positions. Thus the House allowance reduced the number of positions requested by 3."

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

"CIVIL RIGHTS ACT OF 1957

"(78 Stat. 251; 42 U.S.C. 1975c(b))

"§ 1975c. Duties; reports; termination.

"SEC. 104. * * *

"(b) The Commission shall submit interim reports to the President and to the Congress at such times as the Commission, the Congress or the President shall deem desirable, and shall submit to the President and to the Congress a final report of its activities, findings, and recommendations not later than [January 31, 1968.] *January 31, 1973.*

"(c) Sixty days after the submission of its final report and recommendations the Commission shall cease to exist.

"APPROPRIATIONS

"SEC. 106. [There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this Act.] *For the purpose of carrying out the provisions of this Act, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1968, and for each of the four succeeding fiscal years, the sum of $2,650,000 for each such fiscal year."*

Mr. ERVIN. Mr. President, I have no objection to the present consideration of the bill; but I ask unanimous consent that four members of the Committee on the Judiciary, which considered the bill—namely, the distinguished senior Senator from Mississippi [Mr. EASTLAND], the distinguished senior Senator from Arkansas [Mr. MCCLELLAN], the distinguished senior Senator from South Carolina [Mr. THURMOND], and I—be recorded as voting against the passage of the bill.

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

The question is on agreeing to the amendment.

The amendment was agreed to.

The amendment was ordered to be en-

grossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. KUCHEL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 673 and the succeeding measures in sequence.

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

GRANTING MINERALS ON CERTAIN LANDS IN THE CROW INDIAN RESERVATION, MONT., TO CERTAIN INDIANS

The Senate proceeded to consider the bill (S. 1119) to grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Mont., to certain Indians, and for other purposes which had been reported from the Committee on Interior and Insular Affairs, with amendments on line 2, after the word "reserved", insert "in perpetuity"; and in line 7, after the word "prescribe:", strike out:

Provided, That when any land is leased for mining purposes and development thereunder shall indicate the presence of minerals, including oil and gas, in paying quantities, the lessee or lessees shall proceed with all reasonable diligence to complete the development under said lease to extract the mineral, including oil and gas, from the land leased and to bring the product mined or extracted into market as speedily as possible unless the extraction and sale thereof be withheld with the consent of the Crow Tribe of Indians: *Provided further*, That allotments hereunder may be made of lands classified as valuable chiefly for coal or other minerals which may be patented as herein provided with a reservation, set forth in the patent, of the coal, oil, gas, or other mineral deposits for the benefit of the Crow Tribe: *Provided further*, That on June 4, of the year 2020, unless otherwise ordered by Congress, the coal, oil, gas, or other mineral deposits upon or beneath the surface of said allotted lands shall become the property of the individual allottee or his heirs or devisees, or their heirs or devisees, subject to any outstanding leases, regardless of any prior conveyance by such allottee, heirs, or devisees of the lands overlying such minerals and regardless of the form of reference in such conveyance, or lack of reference, to the minerals reserved by this Act and made subject to further order of Congress.

(b) Title to the minerals so granted shall be held by the United States in trust for the Indian owners, except that if on June 4 of the year 2020, the entire Indian interest in the minerals within any allotment or parcel thereof is granted by this Act to a person or persons who at that time hold an unrestricted title to the lands overlying such minerals, then the Secretary of the Interior shall by fee patent transfer to such person or persons the unrestricted fee simple title to such minerals, which title shall vest in such person or persons as of the date of the patent.

And, in lieu thereof, insert:

Provided, That leases entered into pursuant to section 6 of the Act of June 4, 1920 (41 Stat. 751), as amended by the Act of May 26, 1926 (44 Stat. 658), may with the consent of the tribal council and under such rules, regulations, and conditions as the Secretary of the Interior may prescribe, be amended to change the terms thereof to ten years and as long thereafter as minerals are produced in paying quantities.

So as to make the bill read:

S. 1119

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Act of June 4, 1920 (41 Stat. 751), as amended by the Act of May 26, 1926 (44 Stat. 658), as further amended by the Act of September 16, 1959 (73 Stat. 565), is hereby amended to read as follows:

"SEC. 6. (a) Any and all minerals, including oil and gas, on any of the lands to be allotted hereunder are reserved in perpetuity for the benefit of the members of the tribe in common and may, with the consent of the tribal council be leased for mining purposes in accordance with the provisions of the Act of May 11, 1938 (52 Stat. 347; 25 U.S.C. 396a–f), under such rules, regulations, and conditions as the Secretary of the Interior may prescribe:

"*Provided*, That leases entered into pursuant to section 6 of the Act of June 4, 1920 (41 Stat. 751), as amended by the Act of May 26, 1926 (44 Stat. 658), may with the consent of the tribal council and under such rules, regulations, and conditions as the Secretary of the Interior may prescribe, be amended to change the terms thereof to ten years and as long thereafter as minerals are produced in paying quantities."

The amendments were agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 690), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

S. 1119, as amended by the committee, would amend existing law to grant full ownership of the minerals underlying the Crow Indian Reservation in Montana to members of the Crow Tribe. The measure also provides that with the approval of the tribal council certain oil and gas leases granted under previous law may be renewed and extended so as to make them uniform and consistent with other oil and gas leases on reservation lands.

Absent legislative action, the tribe's interest in the minerals will terminate in 1970 under existing law enacted in 1920 (41 Stat. 751), which reserves the minerals to the tribe for a 50-year period.

The total income to the tribe from the development of oil and gas since 1920 amounts to $3,665,000. About 40 percent of that income has been received during the past 5 years. The committee concurs with the finding of the Department of the Interior "that the tribe has not enjoyed the full benefit of the mineral reservation that was contemplated in 1920, and that an extension of tribal ownership is justifiable for that reason."

As introduced, S. 1119 would have extended this 50-year period for another 50 years, or until 2020. After the 100-year period, the mineral deposits would have become the property of the individual allottees or their heirs.

As pointed out by the Department of the Interior:

"The extension of tribal ownership to a period of 100 years, and then the transfer of title to the heirs and devisees of the individual Indians who were allotted 100 years earlier, will create a serious heirship problem. It will be difficult and expensive to trace the heirs and devisees, and the property values in some allotments at that time may not warrant the effort. If the purpose of S. 1119 is to permit the tribe to retain title to the minerals until the minerals have been substantially extracted, some consideration might well be given to changing the 50-year reservation to full tribal ownership of the minerals."

Accordingly, the bill was amended to provide that the minerals be reserved for the tribe in perpetuity, rather than for another 50-year period.

THE HEIRSHIP PROBLEM

The committee would like to point out parenthetically that for a number of years it has been endeavoring to resolve the problem highlighted above—that of multiple ownership of Indian allotments. The Indian heirship land problem arises from the fact that the United States holds in trust for Indians about 41,000 tracts of allotted land—approximately 6 million acres—that are in fractionated ownership. This situation arose when, upon the death of the original allottee, his or her estate was probated and the heirs were given undivided interests in the tract of land.

Through the years, successive probates have often taken place affecting the same tract until at the present time there may be anywhere from two to 200 heirs holding fractional interest in the same piece of trust land. This fractionation of ownership has created serious problems for the heirs themselves, the tribes, and the Bureau of Indian Affairs, which has responsibility for managing trust land.

This year the committee once again considered and reported favorably a measure, S. 304, designed to be the basis of a solution for this troublesome, ever-growing problem. This measure passed the Senate on August 21. A series of bills for a similar purpose have been approved by the Senate in previous Congresses but have not been acted upon in the other body.

THE COMMITTEE AMENDMENTS

The first amendment made by the committee—that of granting outright ownership to the tribe rather than providing for another 50-year reservation—has been discussed above. The other amendment is the proviso on page 3 to authorize extension of existing leases. The substance of this amendment was proposed by counsel for a lessee, J. Ray McDermott & Co., Inc., of Houston, Tex., whose lease, issued under a 1953 law, would terminate in 1970.

The tribe has gone on record as not opposing the proposal, and the Department of the Interior has redrafted the language of the amendment as originally submitted to provide for the consent of the tribe to such renewal and extension and for changes in line with existing conditions at the time of the renewal.

CANCELLATION OF CONSTRUCTION COSTS AND IRRIGATION ASSESSMENTS AGAINST THE FORT PECK INDIAN RESERVATION

The Senate proceeded to consider the bill (S. 1391) to cancel certain construction costs and irrigation assessments chargeable against lands of the Fort Peck Indian Reservation, Mont., which had been reported from the Committee

on Interior and Insular Affairs, with an amendment, strike out all after the enacting clause and insert:

That, in accordance with provisions of the Act of June 22, 1936 (49 Stat. 1803; 25 U.S.C. 389–389e), the order of the Secretary of the Interior canceling delinquent irrigation operation and maintenance charges in the amount of $461.40 and any accrued interest thereon for certain lands adjacent to but outside the boundary of the Fort Peck Indian irrigation project, Montana, and reimbursable irrigation construction costs in the amount of $206,902.21 against lands within the Fort Peck Indian irrigation project, Montana, as listed and described in schedules referred to in such order, is hereby approved.

SEC. 2. Unassessed construction costs of $118,266.64 allocable against both the Indian- and non-Indian-owned lands in the Frazier-Wolf Point unit of the Fort Peck Indian irrigation project, Montana, are hereby canceled.

The amendment was agreed to.

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

BILL PASSED OVER

The bill (H.R. 5091) to amend Public Law 87–752 (76 Stat. 749) to eliminate the requirement of a reservation of certain mineral rights to the United States was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

SALE OF PUBLIC LANDS

The Senate proceeded to consider the bill (S. 220) to authorize the sale of certain public lands which had been reported from the Committee on Interior and Insular Affairs with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior is authorized, on application of an owner of contiguous lands, to sell at public auction any tract of public domain not exceeding one hundred and sixty acres that contains some lands which have been or can be put to cultivation but which are insufficient because of climatic, topographic, ecologic, soil, or other factors to justify a classification as proper for disposal under the homestead or desert land laws. Except as provided in section 2 hereof, the tract shall be sold to the highest bidder. Except as provided in section 3 hereof, no tract shall be sold for less than its appraised fair market value.

SEC. 2. For a period of thirty days from the day the high bid is received, any owner of contiguous lands shall have a preference right to buy the tract at such highest bid price. If two or more contiguous owners assert the preference right, the Secretary is authorized to make such division of the land among the applicants as he deems equitable.

SEC. 3. If a person who has a preference right under section 2 of this Act is the purchaser of land sold pursuant to this Act, he shall not be required to pay for any values he or his predecessors in interest have added to the land. However, nothing in this Act shall relieve any person from liability to the United States for unauthorized use of the land prior to conveyance of title by the United States.

SEC. 4. No person may acquire from the Secretary more than one hundred and sixty acres of land under the provisions of this Act, except that in any case in which the Secretary finds that the person to whom the land is to be transferred has not intentionally trespassed thereon in the use thereof, the Secretary may transfer not to exceed six hundred and forty acres under the provisions of this Act.

SEC. 5. The authority granted by this Act shall terminate June 30, 1971, but sales for which application has been made in accordance with this Act prior to June 30, 1971, may be consummated and patents may be issued in connection therewith after June 30, 1971.

The amendment was agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 693) explaining the purposes of the bill.

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

PURPOSE

The purpose of S. 220 is to give the Secretary of the Interior the legislative authority to sell certain parcels of land upon which an agricultural trespass has recently been discovered.

BACKGROUND

In various parts of the West there exist many small parcels of arable lands adjacent to private farms and ranches which could be put to economic use as part of the private cultivation and which have no public values requiring their retention in public ownership. Such small parcels are found on occasion to be cultivated in trespass, sometimes because of the uncertainty of titles or land boundaries. Where such tracts cannot meet the legal and regulatory requirements for classification for sale under section 2455 R.S., Public Land Sales Act, or Homestead or Desert Land Acts, the Secretary has no means to sell them.

Enactment of S. 220 would provide authority to sell such lands and permit the Secretary to adjust land use and tenure situations which have arisen because of the lack of this authority.

S. 220, introduced by Senators Hansen and Jordan of Idaho, represents a continuation of the effort which was started in the 89th Congress to enact similar legislation when Senator Simpson introduced S. 625. This latter bill was passed by the Senate but was not considered by the House.

AMENDMENTS

In its report to the committee, the Interior Department forwarded a draft bill as a suggested substitute for S. 220. The draft bill, as submitted by the Department, was considered by the Subcommittee on Public Lands at a hearing August 14, 1967, amended and adopted. During the discussion with Assistant Secretary of the Interior Harry R. Anderson, it was agreed that the acreage limitation on section 4 of the bill should be increased to 160 acres of land.

Section 4 was amended to read:

"No person may acquire from the Secretary more than 160 acres of land under the provisions of this Act, except that in any case in which the Secretary finds that the person to whom the land is to be transferred has not intentionally trespassed thereon and the use thereof, the Secretary may transfer not to exceed 640 acres under the provisions of this Act."

The committee sought to draft the bill with sufficient expansiveness to take care of all conceivable situations. It believes this exception, granting the Secretary discretionary authority to transfer not more than 640 acres of land where no intentional trespass is involved will meet that requirement.

Under the draft as proposed by the Department of the Interior, section 5 spelled out that the authority granted by this act shall expire 3 years from the date of the passage of the act. That wording has been changed to specify that the authority granted by the act shall terminate June 30, 1971.

RECOMMENDATION

The Committee on Interior and Insular Affairs recommends passage of S. 220, as amended.

AUTHORIZATION OF APPROPRIATIONS FOR CAPE HATTERAS NATIONAL SEASHORE

The bill (S. 561) to authorize the appropriation of funds for Cape Hatteras National Seashore was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

Mr. KUCHEL. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

NEBRASKA MID-STATE DIVISION MISSOURI RIVER BASIN PROJECT

The bill (H.R. 845) to authorize the Secretary of the Interior to construct, operate, and maintain the Nebraska Mid-State division, Missouri River Basin project, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 695), explaining the purposes of the bill.

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

At the request of Senators Curtis and Hruska, cosponsors of S. 774, a bill to authorize the Secretary of the Interior to construct, operate, and maintain the Nebraska Mid-State division, Missouri River Basin project, and for other purposes, the committee considered and ordered reported H.R. 845. H.R. 845 had previously been considered by the House committee and was passed by the House of Representatives on August 14, 1967.

H.R. 845, as ordered reported by the committee, incorporates all of the amendments which were recommended by the Department of the Interior and the Bureau of the Budget in their executive reports to Chairman Jackson on May 10 and 12, 1967. In addition, H.R. 845 contains a new section which provides that no funds can be appropriated and no construction can be started until the Nebraska Mid-State Irrigation District has obtained individual water user contracts covering 140,000 acres of land to be served by the Mid-State division. The purpose of this amendment is to assure repayment of the project's irrigation costs. The prohibition runs against actual construction costs and does restrict the authorization to appropriate funds for advanced planning activities.

PURPOSE

The purpose of H.R. 845 is to authorize the Secretary of the Interior to construct, operate, and maintain the Nebraska Mid-State division of the Missouri River Basin project. The Mid-State division is a proposed multiple-purpose project, located along the north side of the Platte River in central Nebraska, which will provide irrigation and flood control benefits and outdoor recreation opportunities. The Mid-State division, which is estimated to cost $106,135,000 at current price and wage levels, will be integrated physically and financially with the other works being constructed by the Department of the Interior in the Missouri River Basin.

HISTORY AND BACKGROUND

The Mid-State project was conceived in 1943, and has been under active consideration since that time. It was originally believed that the project could be handled by local financing and local construction. The plan was developed by consultants to the Nebraska Mid-State Reclamation District. In 1954, it was proposed that it be built under a partnership arrangement with a loan and grant from the Federal Government. In 1959, after recognizing the difficulty and probable ability of the water users to fully repay the reimbursable costs to the project, the Mid-State board of directors requested that the project be built by the Secretary of the Interior as a part of the Missouri River Basin project. Since that time, the district's plan has been reviewed and approved by the Bureau of Reclamation.

The committee has considered legislation relating to the Nebraska Mid-State division since the 85th Congress. Subcommittee hearings were first held on June 19, 1958. In the 86th Congress subcommittee hearings were held on April 29, 1959, and on May 20, 1960. In the 87th Congress hearings were held on May 25, 1961, and S. 970 was ordered reported to the Senate on August 24, 1961 (S. Rept. 884). S. 970 passed the Senate on September 21, 1961, but no action was taken by the House of Representatives.

In the 88th Congress hearings were held on S. 388 on March 4, 1964. This measure was subsequently ordered reported to the Senate on June 19, 1964 (S. Rept. 1111) and was passed by the Senate on June 29, 1964. Again no action was taken on the measure by the House of Representatives. In the 89th Congress S. 303 was introduced by Senators Curtis and Hruska, but no action was taken on the measure in the Senate.

Hearings on S. 774 and H.R. 845 were held before the Water and Power Resources Subcommittee on September 19, 1967. Representatives from the Department of the Interior, the State of Nebraska, the Nebraska Mid-State Reclamation District and other local organizations testified in favor of the legislation. Following the conclusion of the hearings the subcommittee recommended the measure to the full committee for consideration. As previously noted, the full committee ordered H.R. 845 favorably reported to the Senate.

NEED

The irrigation, flood control, and outdoor recreation benefits which the Mid-State division will provide are all very much needed in the project area. Accelerated and concentrated pumping for irrigation purposes has caused ground-water levels to gradually decline. Continued pumping without an opportunity for the recharge of underground sources of supply will have a serious effect on the economy of the area. Under project conditions, the ground-water supply would be stabilized and, in addition, 44,000 acres of presently dry farmland would be brought under irrigation.

Floods along the Platte River in the Mid-State project area have caused severe damage from time to time. Construction and operation of the Mid-State division would provide a high degree of flood protection to the district lands and property and to other areas in the Platte River Valley. The need for flood control facilities was most recently demonstrated in June of this year when flooding along various tributaries of the Platte River in Nebraska caused millions of dollars of property damage in central and eastern Nebraska. Particularly hard hit was Nebraska's third largest city, Grand Island.

Recreational facilities are now inadequate in central and eastern Nebraska and opportunities for recreational activities are few. The interconnected reservoirs, together with their shore areas, will provide for fishing, boating, hunting, swimming, and other water sports. The development for recreation and fish and wildlife enhancement will serve not only the citizens of the local area but all of eastern Nebraska.

PLAN OF DEVELOPMENT

The proposed Mid-State project works are located in central Nebraska along the north side of the Platte River. Lands to be benefited are in three counties and cover an area which is 10 to 20 miles wide and over 100 miles in length. The proposed works would provide a regulated gravity and well combination water supply for approximately 140,000 acres of which about 96,000 acres are currently being served by private wells and 44,000 acres are not now irrigated. An additional 163,000 acres of presently irrigated land would indirectly benefit as the result of the stabilization of the ground-water supply which will result from reduced pumping by those receiving a surface-water supply. Additional flood protection for the area would be provided by operation of the reservoirs in combination with the canals and floodways. The outdoor recreational opportunities will be provided by recreational development at selected sites on the reservoirs and by the establishment of wildlife refuges and hunting areas. The Mid-State division plan includes the following works:

(*a*) A diversion dam located on the Platte River about 7 miles east of Lexington, Nebr., to divert waters of that stream.

(*b*) A main supply canal and floodway designed to carry 3,00\ c.f.s. from the diversion dam to the reservoir system. Initial sections of the canal have greater capacities (7,700–12,700 c.f.s.) to carry the intercepted floodwaters of Buffalo and Strever Creeks to the Platte River.

(*c*) A system of 23 interconnected ravine reservoirs on the north side of the Platte River with an irrigation conservation capacity of 289,300 acre-feet.

(*d*) Lower Mid-State Canal and Floodway, Kearney Floodway, Shelton Floodway, and Chapman Floodway which would serve dual functions of conveying irrigation water to lands and carrying floodflows from the reservoir systems, together with flows intercepted in the project area, to the Platte River.

(*e*) The Prairie Creek powerplant of 16,800 kilowatts which would furnish irrigation pumping power for district-operated pumps, and penstocks at three other dams for the possible addition of three 16,800-kilowatt plants in the future.

(*f*) Substation and transmission system to furnish district power to project pumps, and interconnecting facilities with the statewide power system.

(*g*) An irrigation distribution system consisting of improvements to natural channels to be used for conveyance of irrigation water, and of canals and laterals and numerous lift and well pumps.

(*h*) Surface and subsurface drainage facilities.

(*i*) Fish and wildlife and recreation developments.

As indicated earlier, the project works will serve 140,000 acres of land, and these lands will therefore be subject to the usual provisions of the reclamation laws with respect to so-called excess lands (act of May 25, 1926, sec. 46; 44 Stat. 649, 43 U.S.C. 423e)—that is, land in excess of 160 acres in the ownership of any one person. The remainder of the irrigable land in the district—approximately 163,000 acres—will not be served by means of the project works or receive a project water supply. It will continue to be irrigated from private wells. Though the owners of these wells will presumably benefit from a reduction of the draft on the underground aquifers, this benefit is too indirect, remote, and, in the case of any individual track of land, speculative to bring the land within the excess land laws or to permit any workable amendment to those laws to be devised which could be fairly applied to it.

WATER SUPPLY

The project water supply will, for the most part, come from the Platte River. The Department of the Interior, the State of Nebraska, and the Nebraska Mid-State Reclamation District all testified as to the adequacy of the water supply for the project. The director of the Nebraska Department of Water Resources stated that stream discharge records indicate that an average annual amount of 853,000 acre-feet would be available for use on the Mid-State project. The project operation studies show that there is sufficient water to meet project requirements and return over 400,000 acre-feet annually to the Platte River under present conditions and around 270,000 acre-feet under future conditions.

ECONOMIC AND FINANCIAL ASPECTS

The total construction cost of the Mid-State division at present price levels is estimated at $106,135,000. This includes $1,542,000 for penstocks to provide for three potential small powerplants which may be constructed in the future. The remaining cost is allocated as follows:

Irrigation	$76,831,000
Flood control	12,831,000
Recreation and fish and wildlife enhancement	14,931,000

The cost allocated to irrigation is repayable without interest pursuant to Federal reclamation law. The cost allocated to flood control is nonreimbursable. Of the amount allocated to recreation and fish and wildlife enhancement, $522,000 is to be repaid with interest and the remainder is nonreimbursable pursuant to the provisions of the Federal Water Project Recreation Act.

The economic studies of the Bureau of Reclamation indicate that the water users would be able to repay $44,350,000, or 58 percent of the irrigation allocation, over a period of 50 years following the development period. The balance of the irrigation allocation, $32,481,000, would be returned, within the 50-year period, from power revenues of the Missouri River Basin project. The $1,542,000 allocated to deferred commercial power would also be repaid with interest from power revenues of the Missouri River Basin project. The latest Missouri River Basin repayment study indicates there would be sufficient unobligated power revenues available to pay these amounts within the required period.

The benefit-cost analysis for the Mid-State division shows that the project benefits totaling about $5,660,000 annually would exceed annual costs in a ratio of 1.25 to 1 based on a 100-year period of analysis and an interest rate of 3⅛ percent. If direct benefits only are considered, the benefit-cost ratio is 1.20 to 1.

COMMITTEE RECOMMENDATIONS

Based upon extensive consideration of the Nebraska Mid-State division, both in this and in previous Congresses, the committee concludes that the project is sound and that it meets the requirements of reclamation law and policy. Testimony presented to the committee establishes that the project is needed and merits early authorization.

The Committee on Interior and Insular Affairs accordingly recommends that H.R. 845, as reported by the committee, be enacted.

CONVEYANCE OF INTEREST IN CERTAIN REAL PROPERTY IN THE STATE OF GEORGIA HELD BY THE UNITED STATES

The bill (H.R. 5364) to provide for the conveyance of the interest held by the United States in certain real property situated in the State of Georgia was

considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 696), explaining the purposes of the bill.

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

PURPOSE

This bill, H.R. 5364, provides for the sale of a small tract (approximately 10,000 square feet) of land in Walker County, Ga., now held by the National Parks Service, to William M. and Kerry E. Ransom.

BACKGROUND

In 1930 the United States conveyed this tract of land to the State of Georgia for use as part of a right-of-way for an approach road to the Chickamauga and Chattanooga National Military Park. The conveyance was made upon condition that the land would revert to the United States upon ceasing to be used for this purpose.

Because the approach road was recently relocated, the land has reverted to the United States. It is outside the national military park, and the National Park Service has no need for it. It will, on the other hand, be useful to the grantees named in the bill, since they are the owners of the abutting tracts on both sides of the old right-of-way. Disposition of the land to them or to anyone else, however, cannot be effected without the enactment of legislation along the lines of H.R. 5364, inasmuch as the surplus property laws do not apply to land held for national park purposes (40 U.S.C. 472).

RECOMMENDATIONS

For the reasons previously stated, and because the conveyance will be made for fair market value plus the administrative costs involved in the transfer, the Committee on Interior and Insular Affairs recommends enactment.

COST

Enactment of H.R. 5364 will entail no cost to the Government.

RIGHTS AND INTERESTS OF CONFEDERATED TRIBES OF THE COLVILLE RESERVATION AND THE YAKIMA TRIBE OF INDIANS IN AND TO A JUDGMENT FUND ON DEPOSIT IN THE U.S. TREASURY

The Senate proceeded to consider the bill (S. 2336) to determine the respective rights and interests of the Confederated Tribes of the Colville Reservation and the Yakima Tribe of Indians of the Yakima Reservation and their constituent tribal groups in and to a judgment fund on deposit in the Treasury of the United States, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 1, line 5, after the word "Yakima" strike out "Tribe" and insert "Tribes"; in line 8, after the word "groups," strike out "and the Attorney General on behalf of the United States"; on page 2, line 13, after the word "Yakima", strike out "Tribe" and insert "Tribes"; after line 15, strike out:

SEC. 2. The portion of such funds and the interest thereon to which the Yakima Tribe of Indians of the Yakima Reservation and its constituent tribal groups are entitled, as determined by the court, shall be withdrawn from the account or accounts in which such funds are deposited, and shall be redeposited in the account in the Treasury of the United States to the credit of the Yakima Tribe of Indians of the Yakima Reservation and may be advanced or expended for any purpose that is authorized by the tribal governing body of the Yakima Tribe of the Yakima Reservation and approved by the Secretary of the Interior.

On page 2, after line 2, strike out:

SEC. 3. The portion of such funds and the interest thereon to which the Confederated Tribes of the Colville Reservation and its constituent tribal groups are entitled, as determined by the court, shall be withdrawn from the account or accounts in which such funds are deposited, and shall be redeposited in an account in the Treasury of the United States to the credit of the Confederated Tribes of the Colville Reservation and may be advanced or expended for any purpose that is authorized by the tribal governing body of the Confederated Tribes of the Colville Reservation.

And in line 13, change the section number from "4" to "2"; so as to make the bill read:

S. 2336

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Confederated Tribes of the Colville Reservation, acting through the chairman of its business council, and the Yakima Tribes of Indians of the Yakima Reservation, acting through the chairman of its tribal council, for and on behalf of said tribes and each and all their constituent tribal groups, are each hereby authorized to commence or defend in the United States Court of Claims an action against each other making claims to a share in the funds that are on deposit in the Treasury of the United States to pay a judgment of the Indian Claims Commission dated April 5, 1965, in dockets numbered 161, 222, and 224, and the interest on said funds; and jurisdiction is hereby conferred upon said court to hear such claims and to render judgment and decree thereon making such division of such funds and the interest on such funds, as may be just and fair in law and equity, between the Confederated Tribes of the Colville Reservation and its constituent tribal groups on the one hand, and the Yakima Tribes of Indians of the Yakima Reservation and its constituent tribal groups on the other hand.

SEC. 2. Any part of such funds that may be distributed per capita to the members of the tribes shall not be subject to Federal or State income tax.

The amendments were agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 697), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The basic purpose of S. 2336, as amended, is to confer jurisdiction on the Court of Claims to determine the respective rights of two Indian tribal bands of the State of Washington in and to a joint judgment fund. The Indian groups are the Confederated Tribes of the Colville Reservation and the Yakima Tribes of the Yakima Reservation.

The fund is that appropriated by the act of April 30, 1965 (79 Stat. 81) to cover an award of $3,446,700 made by the Indian Claims Commission in dockets 161, 222, and 224. Payment from the judgment fund of $332,670 on attorney fees totaling $344,670, also awarded by the Indian Claims Commission, has reduced that fund to $3,114,030. Interest at 4 percent per annum accruing on the award moneys in the amount of $205,597.24 (as of August 14, 1967) has increased the total amount for distribution to $3,319,627.24.

HISTORICAL AND LEGAL BACKGROUND

The award resulted from three claims filed with the Indian Claims Commission, one by the Yakima Tribes and two by the Colville Tribes, each to recover additional compensation for land ceded to the United States by the Yakima Treaty of June 9, 1855. The three claims were tried as one. The Commission found the 14 tribes or bands signatory to the treaty of August 9, 1955 (12 Stat. 951), constituted 11 landholding entities and it determined the acreage ceded by each such entity. The Commission held those entities were merged by the treaty into the Yakima Nation, but that such nation no longer exists. It entered a joint award in favor of the two separate petitioners for the benefit of the Yakima Nation as created by the 1855 treaty. The petitioners in their representative capacities are unable to agree upon a division of the award.

The Colville Tribes assert that five of the 11 treaty entities settled on the Colville Reservation and six settled on the Yakima Reservation. They contend those who settled on the Colville Reservation ceded 4,119,000 acres and those who settled on the Yakima Reservation ceded 4,057,000 acres. They maintain the award should be divided equally between the Colville Tribes and the Yakima Tribes because of the comparable acreages ceded by the five treaty entities which are now a part of the Colville Tribes and by the six treaty entities now a part of the Yakima Tribes.

The Yakima Tribes reject this proposal as inequitable. They maintain individual members of each of the 11 treaty entities settled on the Yakima Reservation and all are a part of the present Yakima Tribes. They propose to divide the award on a ratio of 697 to 4,067 because the Yakima Tribes had a membership of 4,067 during 1954 and during hearings held by the Indian Claims Commission that year the Colville Tribes introduced in evidence a list of 697 member tracing ancestry to the five treaty entities which the Colville Tribes settled on the Colville Reservation. The Yakima Tribes interpret the Commission's acts in accepting this document and later finding there were 697 such persons among the membership of the Colville Tribes as a determination that the award should be divided on a population basis. The Colville Tribes contend this document was tendered and used by the Commission only to determine the Colville Tribes' right to prosecute a representative action.

NEED FOR LEGISLATION

Delay in making the award money available for economic development is costly to both tribes, yet both are equally adamant. The Indian Claims Commission is without authority to determine the method of distribution of its award. Efforts of the Secretary of the Interior, the Solicitor, and Bureau personnel to effect a compromise have been of no avail. Referral of the problem to the Court of Claims, which has authority to render final judgment, seems necessary and logical.

COMMITTEE AMENDMENTS

As introduced, S. 2336 provided that the United States be made a party to the legal action. However, the Federal Government has no interest in the outcome of the authorized litigation, other than fulfillment of its equal responsibilities to the two Indian bands to bring about an equitable division of the fund and to see to it that the parties have the money to which they are entitled as expeditiously as possible for their economic development.

Therefore, the committee has deleted the requirement for active participation in the suit by the Federal Government. The committee's action is in accordance with the recommendations of the Department of the Interior.

For a number of years, the Appropriations Committees of both Houses have insisted that programs for Indian economic and welfare development to be paid for by federally appropriated judgment funds must be approved by act of Congress. Your committee also has adopted and followed a similar policy. Sections 2 and 3 of S. 2336 as introduced would have negated this established policy, providing only for approval by the Secretary of the Interior of programs proposed by the respective tribal groups, thus bypassing the congressional mandate.

Accordingly, the committee has deleted sections 2 and 3, thus leaving the requirement for congressional approval of plans which may be subsequently developed in force and effect.

The title of the bill is amended to conform with the recommendation of the Department of the Interior.

The title was amended so as to read: "To determine the respective rights and interests of the Confederated Tribes of the Colville Reservation and the Yakima Tribes of Indians of the Yakima Reservation and their constituent tribal groups in and to a judgment fund on deposit in the Treasury of the United States, and for other purposes."

TERMINATION OF OIL AND GAS LEASES

The Senate proceeded to consider the bill (S. 1367) to authorize the Secretary of the Interior to prevent terminations of oil and gas leases in cases where there is a nominal deficiency in the rental payment, and to authorize him to reinstate under some conditions oil and gas leases terminated by operation of law for failure to pay rental timely which had been reported from the Committee on Interior and Insular Affairs with an amendment to strike out all after the enacting clause and insert:

That section 31(b) of the Mineral Leasing Act of 1920 (41 Stat. 450), as amended (30 U.S.C. 188(b)), is amended by changing the period at the end thereof to a colon and adding the following: "*Provided*, That if the rental payment due under a lease is paid on or before the anniversary date but either (1) the amount of the payment has been or is hereafter deficient and the deficiency is nominal, as determined by the Secretary by regulation, or (2) the payment was calculated in accordance with the acreage figure stated in the lease or made in accordance with a bill which has been rendered by him and such figure or bill is found to be in error resulting in a deficiency, the Secretary shall notify the lessee of the deficiency and such lease shall not automatically terminate unless the lessee fails to pay the deficiency within the period prescribed in the notice."

SEC. 2. Section 31(c) of the Mineral Leasing Act of 1920 (41 Stat. 450), as amended (30 U.S.C. 188(c)), is amended to read as follows:

"(c) Where any lease has been or is hereafter terminated automatically by operation of law under this section, for failure to pay rental on or before the anniversary date or for failure to pay the full amount due and the deficiency is not nominal and payment was not made in accordance with the acreage figure stated in the lease or in accordance with a bill rendered by the Secretary and it is shown to the satisfaction of the Secretary of the Interior that such failure was the result of error or neglect on the part of the Department of the Interior, the Secretary may reinstate the lease if—

"(1) a petition for reinstatement, together with the required rental, including back rental accruing from the date of termination of the lease, if filed with the Secretary; and

"(2) no valid lease has been issued affecting any of the lands covered by the terminated lease prior to the filing of said petition. The Secretary shall not issue any new lease affecting any of the lands covered by such terminated lease for a reasonable period, as determined in accordance with regulations issued by him. In any case where a reinstatement of a terminated lease is granted under this subsection and the Secretary finds that the reinstatement of such lease will not afford the lessee a reasonable opportunity to continue operations under the lease, the Secretary may, at his discretion, extend the term of such lease for such period as he deems reasonable: *Provided*, That (A) such extension shall not exceed a period equivalent to the time beginning when the lessee knew or should have known of the termination and ending on the date the Secretary grants such petition; (B) such extension shall not exceed a period equal to the unexpired portion of the lease or any extension thereof remaining at the date of termination; and (C) when the reinstatement occurs after the expiration of the term or extension thereof the lease may be extended from the date the Secretary grants the petition."

The amendment was agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 698) explaining the purposes of the bill.

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

PURPOSE OF BILL

The purpose of S. 1367 as amended is to confer administrative discretion on the Secretary of the Interior to prevent termination of Federal oil and gas leases for nominal deficiencies in rental payments. The Secretary also would be authorized to reinstate leases terminated by failure to make timely rental payments in cases where, although the deficiency was not as set forth above, such failure was the result of error or neglect on the part of the Department of the Interior.

The bill would achieve these purposes by amending the appropriate sections of Mineral Leasing Act of 1920, as amended (41 Stat. 450; 30 U.S.C. 188(b) and 188(c)).

NEED FOR THE LEGISLATION

Each year a number of private bills have been considered by Congress to authorize the Secretary to do in a specified, individual case what S. 1367 would authorize him to do generally. In one recent instance, the entire legislative procedure was required because of an error of 14 cents in rental payment resulting from a mistake by the Department itself.

This situation results from a 1954 amendment to the Mineral Leasing Act (Public Law 555, 83d Congress) which provided for automatic termination of an oil and gas lease "upon failure of a lessee to pay rental on or before the anniversary date of the lease * * *." Prior to the 1954 act, nonpayment did not result in termination, and the lessee continued to be liable for payment for the full term of the lease, even though he had completely abandoned the enterprise. Such liability often resulted in substantial hardship.

Although the 1954 amendment remedied the problem then presented, at the same time it created a new one. The Secretary has no discretion whatever; termination is mandatory in all cases. This too has resulted in hardship.

After 1954, the automatic termination provision resulted in the termination of a number of oil and gas leases for failure to pay a timely rental in circumstances which appeared to warrant equitable consideration and relief. As stated, the Secretary was not authorized to grant this relief. To correct this situation, the Department proposed legislation in 1962 which would have given the Secretary discretionary authority to reinstate these leases where the failure of payment was justifiable or not due to a lack of reasonable diligence on the part of the lessees. The Department's recommendation was that the Secretary be given this authority for future cases as well as cases occurring between 1954 and 1962. Congress, however, limited the authority to past cases only.

THE COMMITTEE AMENDMENT

The committee adopted amendments proposed by the Department of the Interior in its supplementary communication of August 10, 1967, which is set forth in full below, to the wording and organization of section 1 of S. 1367 as transmitted and introduced. That is, leases will not terminate automatically if (1) the rental deficiency is nominal, as determined by the Secretary, or (2) if a lessee paid the rental billed to him, or paid in accordance with the acreage figures set forth in the lease instrument itself. In such cases the lessee may retain the lease in good standing if he pays the actual deficiency within a prescribed time after notice.

As introduced, section 2 would have authorized the Secretary to reinstate a lease terminated by failure to make timely rental payment even when the amount was not nominal or payment was not in accord with a bill or the acreage described in the lease provided the Secretary found the error was either justified or not due to lack of reasonable diligence on the part of the lessee. The committee, however, foresaw dangers of abuse of such a provision by a lessee who might let his leases lapse for speculative purposes—in order to see who else might be interested in obtaining his acreage, for example—and then reinstate his lease after the other interests had developed.

It might be difficult if not impossible for the Secretary to exercise equitably and in the best interests of the Federal leasing program the broad discretionary power given him under the original language. Accordingly, the committee adopted an amendment proposed by Senator Anderson of New Mexico limiting the Secretary's authority to reinstate a lease terminated by nonpayment to those instances in which such nonpayment was the result of mistake on the part of the Department of the Interior.

The committee believes that instances in which failure to pay was not the result of mistake by the Department and the lessee's failure was in fact excusable will not be so numerous that they cannot be taken care of by special bills, as at present, without undue burden upon the Congress.

CONSTRUCTION, OPERATION, AND MAINTENANCE OF THE FIRST STAGE, OAHE UNIT, JAMES DIVISION, MISSOURI RIVER BASIN PROJECT, SOUTH DAKOTA

The Senate proceeded to consider the bill (S. 6) to authorize the Secretary of the Interior to construct, operate, and maintain the first stage of the Oahe unit, James division, Missouri River Basin project, South Dakota, and for other

purposes which had been reported from the Committee on Interior and Insular Affairs with amendments on page 1, line 7, after the word "the" where it appears the first time strike out "first" and insert "initial"; on page 2, line 3, after the word "floods,", strike out "enhancing the generation of power,"; in line 13, after "SEC. 2." strike out:

The Secretary is authorized, as a part of the project, to construct, operate, and maintain or otherwise provide for public outdoor recreation and fish and wildlife enhancement facilities, to acquire or otherwise make available such adjacent lands or interests therein as are necessary for public outdoor recreation or fish and wildlife use, and to provide for public use and enjoyment of project lands, facilities, and water areas in a manner coordinated with the other project purposes.

And insert:

The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the initial stage of the Oahe unit shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213).

On page 4, line 4, after the word "construction" insert "of the initial stage"; and in line 5, after the word "of" strike out "$200,684,000" and insert "$188,500,000"; so as to make the bill read:

S. 6

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to construct, operate, and maintain in accordance with the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof or suplementary thereto) the initial stage of the Oahe unit, James division, Missouri River Basin project, South Dakota, for the principal purposes of furnishing a surface irrigation water supply for approximately one hundred and ninety thousand acres of land, furnishing water for municipal and industrial uses, controlling floods, conserving and developing fish and wildlife resources, and enhancing outdoor recreation opportunities, and other purposes. The principal features of the initial stage of the Oahe unit shall consist of the Oahe pumping plant to pump water from the Oahe Reservoir, a system of main canals, regulating reservoirs, and the James diversion dam and the James pumping plant on the James River. The remaining works will include appurtenant pumping plants, canals, and laterals for distributing water to the land, and a drainage system.

SEC. 2. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the initial stage of the Oahe unit shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213).

SEC. 3. The Oahe unit shall be integrated physically and financially with the other Federal works constructed or authorized to be constructed under the comprehensive plan approved by section 9 of the Act of December 22, 1944, as amended and supplemented.

SEC. 4. For a period of ten years from the date of enactment of this Act, no water from the project authorized by this Act shall be delivered to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

SEC. 5. The interest rate used for purposes of computing interest during construction and interest on the unpaid balance of the capital costs allocated to interest-bearing features of the project shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which construction is initiated, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations, which are neither due nor callable for redemption for fifteen years from date of issue.

SEC. 6. There is hereby authorized to be appropriated for construction of the initial stage of the Oahe unit as authorized in this Act the sum of $188,500,000 (based upon January 1964 prices), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering costs indexes applicable to the types of construction involved herein. There are also authorized to be appropriated such additional sums as may be required for operation and maintenance of the unit.

The amendments were agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 699), explaining the purposes of the bill.

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

PURPOSE OF THE MEASURE

S. 6, which has bipartisan sponsorship by Senators George McGovern and Karl Mundt of South Dakota, reauthorizes the initial stage of the multipurpose Oahe irrigation unit, Missouri River Basin project. It was originally authorized by the Flood Control Act of 1944 and is being reauthorized in accordance with a subsequent congressional directive in Public Law 442, 88th Congress.

The initial stage of the Oahe unit provides for the irrigation of 190,000 acres of land out of 495,000 now contemplated in the total unit. It will supply municipal and industrial water to 17 towns and cities, make possible full development of the fish and wildlife and recreational potential in an area which is a part of the principal breeding ground for migratory wildfowl in the United States, and afford additional flood control in the Missouri-Mississippi Basin.

The benefit-cost ratio is a favorable 2.5 to 1 on the basis of total benefits and 1.6 to 1 in relation to direct benefits alone.

S. 6 authorizes appropriations up to $188.5 million for new construction. The greater part of this sum will be repaid, as detailed later in this report.

COMMITTEE AMENDMENTS

The term "initial stage" has been substituted for the term "first stage" at three places to make the terminology in the bill conform to planning documents for the unit. These amendments appear in the title and at page 1, line 7 and page 2, line 7.

At page 3, line 25, the designation "initial stage" has been inserted before "of the Oahe unit" for accuracy.

Other amendments are:

Page 2, line 4, delete the clause "enhancing the generation of power." Power installations originally planned have been shown to be infeasible by detailed studies and have been deleted, making the phrase inappropriate.

Page 2, section 2: The entire section has been deleted and the following language substituted:

"The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the initial stage of the Oahe unit shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213)."

Reference to the Federal Water Project Recreation Act will make possible uniform administration, inclusion of fish and wildlife and recreation in the project plan, and cost-sharing provisions paralleling those applicable to other similar projects. The language is acceptable to the State and all agencies involved.

Page 4, line 1, strike the figure "$200,684,000" and substitute the figure "$188,500,000."

As previously stated, certain works to enhance power production has been eliminated. Administrative agencies have also concluded that instead of building pumping plant foundations and main canals of sufficient capacity to serve the ultimate 495,000-acre project, they should be built originally only sufficient to serve the initial stage acreage—190,000 acres. This will reduce expenditures approximately $14 million. Since the original cost estimates were made studies of highway relocation and construction to present day standards reflect requirement of an additional $2 million. The net reduction in cost estimates is reflected in the lower authorization figure.

The economy of limiting right-of-way acquisition or of forgoing construction of the basic facilities, including pumping plant foundations and main canals, to a size adequate to serve the ultimate project is a matter of judgment or conjecture. It assumes that the carrying cost of the capital investment in the excess capacity will, over the years it is unneeded, exceed the savings in construction cost which can be achieved by doing the whole job at once. No one can be certain this will be true. The pressure of droughts or growing world food requirements may make early construction of the balance of the project desirable. Engineering realities encountered in construction, including soil conditions, may make construction of some facilities to full capacity at the outset much more economical than limited construction at first and later enlargement. The committee has adopted this amendment with the understanding that if the Bureau of Reclamation finds soil conditions or any other engineering contingency which makes the construction of a facility or facilities adequate to meet future requirements wise, or acquisition of all needed right-of-way most economical, it may proceed within the limitations of the authorization and that it will report to the committee promptly if additional authorization is needed for the purpose. Further, the committee's adoption of the amendment in no way lessens intent to complete the ultimate project envisioned in the Flood Control Act of 1944.

BACKGROUND

The Flood Control Act of 1944 represented an agreement between the Upper and Lower Missouri River Basin areas on a comprehensive river basin development plan for multipurposes, including navigation, flood control, power generation, irrigation, municipal and industrial water supply, enhancement of fish, wildlife and recreation resources, and other purposes.

The Dakotas accepted the inundation of large blocks of river bottom lands to provide storage for water for the benefit of downstream areas with the understanding that their loss of tax values and annual income would be restored by the irrigation projects

included in the plan. South Dakota provided slightly over 500,000 acres for reservoirs. The State's public and private income have been impaired accordingly and her losses will continue until irrigation is provided in accordance with the Flood Control Act of 1944.

The initial stage of the Oahe unit authorized in S. 6 is a partial fulfillment of the national commitment to South Dakota, as the Garrison project is to North Dakota. The ultimate South Dakota project as proposed in 1944 was expected to be between 750,000 and 1,000,000 acres of irrigation. Detailed studies have shown that 495,000 acres would be irrigable by present methods.

The 190,000 acres of land to be provided water under S. 6 lie in the Lake Plain area adjacent to the James River in Brown and Spink Counties in northeastern South Dakota. There has been very little irrigation in the area because of inadequate surface water supplies when needed and limited ground water resources. Rainfall is seldom timely or adequate to realize the agricultural potential of the land. A dependable water supply will remove the high risk of dryland farming, stimulate and stabilize farming and improve the whole economy to the benefit of the area, the State and the Nation. Increased income in the immediate area, which will be reflected to the State and Nation in taxes and in increased demand for goods and services, is estimated at $71 million annually. An increase of State tax revenues of $2.5 million and of Federal tax revenues of $3.5 million from the area will occur.

The present reliance on small grain crops because of dryland farming practices will give away to diverse crops associated with livestock production and cash crops such as vegetables and beets. Acreage of crops which tend to be in surplus will probably decline. Since the project will be 8 to 10 years in construction at minimum, and world food requirements appear likely to increase demands on our productive capacity, proceeding with this initial stage project is timely.

Water supply for the unit will come principally from the Missouri River by diverting water from the Oahe Reservoir near Pierre, S. Dak., at the Oahe pumping plant. The major works will be the Oahe pumping plant, a James pumping plant, three regulating reservoirs formed by the proposed Blunt, Cresbard, and Byron Dams, the existing James diversion dam and channel improvements in the James River, plus a network of main canals. These will be supplemented by laterals, distributing canals and smaller pumping units to deliver water to the land. Pumping power will be provided from the Missouri River Basin power system.

The total water required for the initial stage is 563,000 acre-feet annually. Of this, 408,000 acre-feet will come from the Oahe Reservoir, 105,000 will be return flows, and 50,000 will be obtained from the natural flows of the James River.

The total cost of the initial stage, including assigned costs already expended on main stem reservoirs, and the James diversion dam, will be $234,038,000.

The allocations of total cost and reimbursements of costs, by purpose, follow:

Purpose	Allocation of cost	Reimbursable cost
Irrigation	$205,790,000	$205,790,000
Reimbursement by users and conservancy district		33,440,000
By power revenues		172,350,000
Municipal and industrial water	11,324,000	11,324,000
Fish and wildlife	11,066,000	674,000
Flood control	1,234,000	0
Recreation	2,624,000	326,000
Highway betterment	2,000,000	0
Total	234,038,000	218,114,000

RECREATION, FISH, AND WILDLIFE

The National Park Service prepared the recreation plan for the area authorized by S. 6. It includes areas at Blunt, Cresbard, Byron, and the James River Diversion Dam reservoirs and at North Scatterwood Lake.

The Bureau of Sport Fisheries and Wildlife prepared the plan for 18 fish and wildlife management areas. Eleven of these are for mitigation of damages areas and seven are for enhancement of fish and game resources. Six mitigation areas of 10,355 acres are for Federal management of migratory wildfowl. Five composed of 3,471 acres are for State management for pheasant, deer, and other upland game and to a lesser extent wildfowl. Three of the seven enhancement areas containing 12,005 acres will be for Federal waterfowl management. The other four, containing 14,215 acres, are for State management of fish and to a lesser extent game.

The Oahe Conservancy Subdistrict and the Game, Fish, and Parks Commission of the State of South Dakota have indicated their intent to administer and share the seperable costs of the recreation and fish and game areas in accordance with the Federal Water Project Recreation Act, made applicable by the committee amendment to the bill.

FLOOD CONTROL

The flood control benefits of the project result from channel improvements designed by the Corps of Engineers which improve its capacity to carry spring flood flows when not carrying irrigation return flows. The James pumping plant will also contribute by diverting floodwaters from the river to Byron Reservoir for later irrigation, municipal, and industrial use.

WATER QUALITY

The State of South Dakota has suggested a water quality standard of not more than 1,000 parts per million of dissolved solids in the reach of the James River between the James Diversion Dam and Huron, the only part of the river classified as a domestic water supply.

Records from 1958 to 1965 indicate this standard is exceeded on an average of 100 days each year. Studies indicate irrigation return flows will increase total dissolved solids (TDS) to undesirable levels from July through November. They also indicate that by diverting 36,000 acre-feet of additional water through the Oahe unit system for dilution of the irrigation return flows, the State standards can be met satisfactorily. The incremental cost of this additional diversion will be $14,000 annually for pumping power which will be allocated among all functions of the unit.

The water thus diverted for dilution will return to the main stem through the James River which enters the Missouri River a few miles below Gavins Point Dam and Reservoir.

IRRIGATION REPAYMENTS

The average annual repayment capacity of irrigable lands in the initial stage has been determined to be $11.40 per acre. Allowance of a contingency and incentive margin of $1.40 per acre results in a recommended annual water charge of $10 per acre. The water users and the Oahe Conservancy Subdistrict, which has been voted taxing power by subdistrict residents, will repay $33,440,000 of the irrigation costs over 50 years.

The report on the financial position, Missouri Basin projects, made in accord with accounting standards and criteria approved by Congress in the Garrison Diversion Act of August 5, 1965 (Public Law 99–108) shows adequate revenues will be available to repay remaining irrigation costs within 50 years following completion of construction.

MUNICIPAL AND INDUSTRIAL WATER

Municipal and industrial water users will be responsible for all works required to transport, treat, and store water for this purpose. A charge of $26 per acre-foot, plus $2.70 per acre-foot for operation, maintenance, and replacement (O.M. & R.) will repay all project costs allocated to the purpose.

LOCAL SUPPORT

The committee has been greatly impressed by the local support of the Oahe unit.

Residents of the Oahe Conservancy Subdistrict, including a great deal more area than just the land to be irrigated, have voted the subdistrict taxing power and authority to contract with the Government by an overwhelming 85 percent majority.

Only two out of more than 100 statements presented or filed at the Water and Power Resources Subcommittee hearings at Redfield, S. Dak., on May 22 were in opposition. The Washington hearing brought out no opposition.

South Dakota is an area that has a high rate out migration and where increase in per capita income has lagged behind the national average. Population has been static for many years. As one consequence, the State is a target of economic development programs and especially programs intended to assist rural communities modernize and hold their population out of the stream of migrants to overcrowded urban areas.

The construction of the initial stage of the Oahe unit, unlike many Federal grant and loan programs to improve public facilities, will generate new income, provide opportunities for 14,000 additional citizens to earn a living from the land in the irrigated area, and add to the gross annual product of the area.

Such income generating projects will, of course, be of greater assistance than improvements which, although highly desirable and beneficial, do not generate new and enlarged amounts of income.

CONCLUSIONS AND RECOMMENDATIONS

The committee finds the initial stage of the Oahe unit, Missouri River Basin project as authorized by S. 6 feasible with respect to both economic and engineering criteria. It is self-contained, and its feasibility is not dependent in any way on other or future developments.

Further, it will start to fulfill a commitment and do equity to a region and segment of population to whom equitable treatment is overdue.

The early construction of this initial stage of the Oahe unit is in the national interest and the committee has unanimously recommended the enactment of S. 6 as amended.

The favorable reports of the Bureau of the Budget, speaking for the President and the administration generally, and of the Department of the Interior, follow in full. The amendments recommended in the Interior Department report have been adopted.

The title was amended, so as to read: "To authorize the Secretary of the Interior to construct, operate, and maintain the initial stage of the Oahe unit James division, Missouri River Basin project, South Dakota, and for other purposes."

BILLS PASSED OVER

The bills, S. 1321, to establish the North Cascades National Park and Ross Lake National Recreational Area, to designate the Pasayten Wilderness and to modify the Glacier Peak Wilderness in the State of Washington, and for other purposes; and S. 699, to strengthen intergovernmental cooperation and the administration of grant-in-aid programs, and so forth, were announced in sequence as next in order.

Mr. MANSFIELD. Mr. President, I ask that these two bills go over.

The PRESIDING OFFICER. The bills will be passed over.

THE 50TH ANNIVERSARY OF FINLAND'S INDEPENDENCE

The concurrent resolution (S. Con. Res. 49) extending congratulations to the Parliament of Finland on the 50th anniversary of Finland's independence was considered and agreed to as follows:

S. CON. RES. 49

Resolved by the Senate (the House of Representatives concurring), That the Congress of the United States extends its congratulations and best wishes to the Parliament of Finland on the occasion of the fiftieth anniversary of the independence of Finland and in affirmation of the affection and friendship of the people of the United States for the people of Finland.

BILL PASSED OVER

The bill (S. 1946) to amend the repayment contract with the Foss Reservoir Master Conservancy District, and for other purposes, was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

EDUCATION OF INDIAN STUDENTS

The Senate proceeded to consider the bill (S. 876) relating to Federal support of education of Indian students in sectarian institutions of higher education which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 2, line 6, after the word "technical" strike out "training." and insert "training, but no scholarship aid provided for an Indian student shall require him to attend an institution or school that is not of his own free choice, and such aid shall be, to the extent consistent with sound administration, extended to the student individually rather than to the institution or school." so as to make the bill read:

S. 876

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following provision of section 21, Act of March 2, 1917 (39 Stat. 969, 988; 25 U.S.C. 278), is repealed: "And it is hereby declared to be the settled policy of the Government to hereafter make no appropriation whatever out of the Treasury of the United States for education of Indian children in any sectarian school."

SEC. 2. Funds hereafter appropriated to the Secretary of the Interior for the education of Indian children shall not be used for the education of such children in elementary and secondary education programs in sectarian schools. This prohibition shall not apply to the education of Indians in accredited institutions of higher education and in other accredited schools offering vocational and technical training, but no scholarship aid provided for an Indian student shall require him to attend an institution or school that is not of his own free choice, and such aid shall be, to the extent consistent with sound administration, extended to the student individually rather than to the institution or school.

The amendment was agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 703), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of S. 876 as amended is to remove an outworn impediment to the pursuit of higher education by Indian students qualifying for certain Federal educational aids. It would accomplish this purpose by amending section 21 of the act of March 2, 1917 (39 Stat. 969, 988; 25 U.S.C. 278) to delete a prohibition against appropriation of Federal funds for "education of Indian children in any sectarian school." The prohibition in existing law against use of Federal funds for Indian educational programs in sectarian elementary and secondary schools is restated and affirmed in section 2 of the bill.

To this section the committee has added provisions that an Indian scholarship aid recipient shall be free to choose the accredited college or institution he wishes to attend, whether public or private, sectarian or nonsectarian, and that the aid shall be extended to the individual directly, as far as is consistent with sound administration, rather than to the institution or school.

BACKGROUND OF LEGISLATION

At the time the 1917 act, with its sweeping prohibition with respect to sectarian schools, there was no Federal higher education program for Indians, and the restriction applied, in fact, only to elementary and secondary school pupils. In 1934 the Congress authorized a program of assistance to Indians seeking higher education and the restriction was extended to this program on the basis that it was in keeping with the intent of the Congress.

Religious organizations have historically played an important role in the education of Indian people. The committee is deeply appreciative of the many contributions they have made in their programs of assistance to Indian students at all levels. Their efforts on behalf of college students have been increased substantially in the past decade. Some of these colleges have given special attention to the adjustment problems which many Indian students face in their beginning years of college, and they have been quite effective in retaining students through the 4-year period. Based on applications submitted to the Department of the Interior it is highly probable that additional Indian youth would enroll in college if the Bureau were in a position to extend financial aid to those who choose to enroll in sectarian institutions.

Moreover, the question of Federal assistance to students attending sectarian colleges and universities is now moot. Individual students in sectarian institutions of higher education are eligible for financial assistance from a number of Federal programs, including those under the National Defense Education Act and the various veterans' readjustment acts. The committee is convinced that the Bureau of Indian Affairs program should be authorized to conform with these and other Federal programs providing financial aid to college students.

At the hearing on S. 876 held on September 20, 1967, the Department of the Interior witness concurred and urged enactment of the bill. In 1966, the Bureau provided scholarship aids for 1,949 Indian students.

Further testimony brought out the fact that the present law often makes it impossible for Indian students to attend college. Many students are geographically isolated. The nearest and perhaps only convenient school may be a sectarian institution. Yet, these students are not allowed to use funds from the Bureau of Indian Affairs to attend that school. The result is that many attend no college at all.

Moreover, sectarian colleges tend to be small colleges. They are able to give more attention to the adjustment problems of beginning Indian students.

THE COMMITTEE AMENDMENTS

The committee accepts the amendments suggested by the National Council of Churches of Christ. The amendments specify that (1) financial grants be made directly to Indian students upon approved application and not to the sectarian institution or school and (2) the Indian student be free to make his choice of any accredited institution or school, public or private. The first amendment would not prevent the Administrator of the program from depositing such funds with the school for convenience and safety, but they would be earmarked for the individual student.

COST

Enactment of this legislation will not require any additional amounts beyond the annual appropriations for higher education aids.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following communication and letter, which were referred as indicated:

PROPOSED AMENDMENTS TO THE BUDGET, 1968, DISTRICT OF COLUMBIA (S. DOC. NO. 54)

A communication from the President of the United States, transmitting proposed amendments to the budget, for the fiscal year 1968 providing $10 million for additional Federal payment to the District of Columbia, $40,100,000 of additional borrowing from the U.S. Treasury, and a net amount of $6,139,000 from District of Columbia funds (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

REPORTS OF VIOLATION OF SECTION 3679, REVISED STATUTES AND DEPARTMENT OF DEFENSE DIRECTIVE 7200.1

A letter from the Deputy Secretary of Defense, transmitting, pursuant to law, eight reports covering the same number of violations of section 3679, Revised Statutes, and Department of Defense Directive 7200.1, "Administrative Control of Appropriations within the Department of Defense" (with accompanying reports); to the Committee on Appropriations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MOSS, from the Committee on Interior and Insular Affairs, without amendment:

S. 391. A bill to amend the act of March 1, 1933 (47 Stat. 1418), entitled "An act to permanently set aside certain lands in Utah as an addition to the Navajo Indian Reservation, and for other purposes" (Rept. No. 710).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

S. Res. 176. Resolution authorizing the printing of additional copies of part 1 of the hearings entitled "Planning-Programing-Budgeting" (Rept. No. 707);

S. Res. 177. Resolution to provide additional funds to study the origin of research and development programs financed by the depart-

ments and agencies of the Federal Government (Rept. No. 706);

S. Res. 178. Resolution to provide additional funds to study and evaluate the effects of laws pertaining to the proposed reorganizations in the executive branch of the Government (Rept. No. 705); and

S. Res. 182. Resolution authorizing the printing of the committee print entitled "State Utility Commissions" as a Senate document (Rept. No. 709).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, with amendments:

S. Res. 181. Resolution authorizing the printing of additional copies of the committee print entitled "Research in the Service of Man: Biomedical Knowledge, Development, and Use" (Rept. No. 708).

By Mr. MANSFIELD (for Mr. RANDOLPH), from the Committee on Public Works, without amendment:

H.R. 11627. An act 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 (Rept. No. 711).

By Mr. HARTKE (for Mr. MAGNUSON), from the Committee on Commerce, with amendments:

S. 2029. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 relating to the application of certain standards to motor vehicles produced in quantities of less than 500 (Rept. No. 712).

By Mr. PELL, from the Committee on Foreign Relations, with amendments:

S. 633. A bill to promote the foreign policy of the United States by strengthening and improving the Foreign Service personnel system of the U.S. Information Agency through establishment of a Foreign Service Information Officer Corps (Rept. No. 715).

AUTHORITY OF NATIONAL BANKS TO UNDERWRITE AND DEAL IN SECURITIES ISSUED BY STATE AND LOCAL GOVERNMENTS—REPORT OF A COMMITTEE—SUPPLEMENTAL VIEWS (S. REPT. NO. 713)

Mr. PROXMIRE. Mr. President, from the Committee on Banking and Currency, I report favorably, with amendments, the bill (S. 1306) to assist cities and States by amending section 5136 of the Revised Statutes, as amended, with respect to the authority of national banks to underwrite and deal in securities issued by State and local governments, and for other purposes. I ask unanimous consent that the report be printed, together with the supplemental views of the senator from Texas [Mr. TOWER] and the Senator from Iowa [Mr. HICKENLOOPER].

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

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. FONG:

S. 2608. A bill relating to the investment of certain funds appropriated to the State of Hawaii for the support and maintenance of colleges at which agricultural and mechanical arts are taught; to the Committee on Interior and Insular Affairs.

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

By Mr. SMATHERS:

S. 2609. A bill for the relief of Dr. Jose Xirau; and

S. 2610. A bill for the relief of Mr. Leonardo Seda; to the Committee on the Judiciary.

By Mr. MOSS:

S. 2611. A bill authorizing construction of a multiple-purpose dam and reservoir at the Little Dell Site, Dell Creek, Salt Lake City streams, Utah; to the Committee on Public Works.

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

By Mr. PELL:

S. 2612. A bill to amend title II of the Marine Resources and Engineering Development Act of 1966 so as to extend for 2 additional years the authorization of funds for the national sea-grant colleges and programs, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. METCALF:

S. 2613. A bill to amend the Internal Revenue Code of 1954 to provide that farming losses incurred by persons who are not bona fide farmers may not be used to offset nonfarm income; to the Committee on Finance.

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

By Mr. KENNEDY of New York:

S. 2614. A bill to amend chapter 55 of title 10, United States Code, to provide additional dental care for dependents of active duty members of the uniformed services; to the Committee on Armed Services.

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

By Mr. HOLLINGS:

S.J. Res. 119. A joint resolution to dedicate Law Day of May 1, 1968 to the law enforcement officers; to the Committee on the Judiciary.

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

By Mr. BROOKE:

S.J. Res. 120. A joint resolution to create a Special Commission on Trade and Tariffs to investigate trading policies; to the Committee on Finance.

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

CONCURRENT RESOLUTION

PROPOSED UNIFORM NATIONWIDE FIRE AND POLICE REPORTING TELEPHONE NUMBERS

Mr. GRUENING submitted a concurrent resolution (S. Con. Res. 50) expressing the sense of Congress that the United States should have one uniform nationwide fire reporting telephone number and one uniform nationwide police reporting telephone number, which was referred to the Committee on Commerce.

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

INVESTMENT OF MORRILL ACT COLLEGE FUNDS IN CORPORATE SECURITIES

Mr. FONG. Mr. President, I introduce for appropriate reference a bill to permit the State of Hawaii to invest in corporate securities funds received in lieu of a land grant under the Morrill Act.

The purpose of this bill is to protect the value of the $6 million Hawaii received instead of land for its land-grant college, the University of Hawaii, under the Omnibus Act approved by Congress in 1960 after Hawaii became a State.

In granting Hawaii $6 million instead of land acreage, the Congress required under section 14(e) of Public Law 86-624 that—

> Amounts appropriated under this subsection shall be held and considered to be granted to such State subject to those provisions . . . (of the Morrill Act) applicable to the proceeds from the sale of land or land scrip.

The House Interior and Insular Affairs Committee in its report on the Omnibus Act emphasized:

> Under terms of the Morrill Act, the amount granted to the State of Hawaii would have to be safely invested by the State so that the principal will remain forever unimpaired. (H. Rept. 1564, 86th Congress).

The Morrill Act—7 U.S.C. 304—provides that all moneys from the sale of land or land scrip "shall be invested in bonds of the United States or of the States or some other safe bonds."

Or, in the case of States having no State bonds, the moneys shall be invested "in any manner after the legislatures of such States shall have assented thereto and engaged that such funds shall yield a fair and reasonable rate of return, to be fixed by the State legislatures, and the principal thereto shall forever remain unimpaired."

The State of Hawaii, by act approved July 8, 1961, accepted the land-grant college aid and assented to the terms and provisions of the Omnibus Act governing the protection and investment of the $6 million. The State has fulfilled the requirement to provide a fair and reasonable yield and to maintain the principal unimpaired.

Since 1961, however, inflation has been steadily eroding the value of the $6 million capital. It is one thing to maintain the capital unimpaired. It is another matter to maintain the buying power, or value, of the capital unimpaired.

My bill will permit the State of Hawaii, on authorization by the State legislature, to invest Morrill Act funds in corporate equities or mutual funds, provided the investment yields a fair and reasonable return and the principal remains intact.

In other words, the State legislature would have to give assurance by law that, should any impairment of capital occur by investing in corporate equities or mutual funds, the State will restore sufficient capital to make whole the principal.

Taking note of the adverse impact of inflation on the $6 million principal, the Hawaii State Legislature this year approved a concurrent resolution requesting amendment of the Omnibus Act so as to permit the State of Hawaii to invest its grant in other than bonds. This would help provide protection against price increases and would afford an opportunity to add to capital through growth of the economy. I ask unanimous consent that

the resolution be printed in the RECORD following my remarks.

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

(See exhibit 1.)

Mr. FONG. Mr. President, in August this year, I had drafted the bill which I am introducing today. I delayed introducing it, however, until I could explore further to see whether there might be a superior way of accomplishing the goal sought by the State. One possibility was to fashion a bill patterned after State regulations governing investment of other funds by the University of Hawaii.

I checked with the university and by letter dated October 10, I was advised of the existing situation regarding the university's investments. For the benefit of the committee to which my bill will be referred, I ask unanimous consent to have the text of the letter and enclosure printed in the RECORD following my remarks.

In addition, I have asked the Department of Health, Education, and Welfare for comments on this matter, but I have not yet received their report.

Inasmuch as the junior Senator from Hawaii [Mr. INOUYE] yesterday introduced an identical bill, I am filing my bill today so that the committee and the Congress will know that Hawaii's two Senators are in accord on this matter.

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

The bill (S. 2608) relating to the investment of certain funds appropriated to the State of Hawaii for the support and maintenance of colleges at which agricultural and mechanical arts are taught, introduced by Mr. FONG, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

EXHIBIT 1

S. CON. RES. 45

Concurrent resolution relating to requesting that the Hawaii Omnibus Act be amended to enable the State of Hawaii to invest its grant in corporate equities

Whereas, Section 14(e) of the Omnibus Act (Act of July 12, 1960; P.L. 86–624) authorized the appropriation of $6,000,000 to the State of Hawaii, in lieu of a land grant, subject to the provisions of the Morrill Act (7 U.S.C. secs. 301–308) and such funds were subsequently appropriated; and

Whereas, Section 302 of the Morrill Act provides that funds received by the states are to be invested in bonds of the United States or of the states or some other safe bonds, or that the proceeds may be invested by the states having no state bonds in any manner the legislature of such states agree to, provided that the funds yield a fair and reasonable rate of return as designated by such state legislature; and

Whereas, the provisions of the Morrill Act governing investment of funds do not provide a means whereby the capital may be protected from erosion due to inflationary tendencies or to benefit from increases in economic productivity; and

Whereas, most college and university investment portfolios include a combination of both variable and fixed value securities, which provide protection against price increases and an opportunity to benefit from the growth of the economy; now, therefore,

Be it resolved by the Senate of the Fourth Legislature of the State of Hawaii, Regular Session of 1967, the House of Representatives concurring, that the members of the Hawaii delegation to the Congress of the United States be and they are hereby respectfully requested to seek to amend Section 14(e) of the Omnibus Act (Act of July 12, 1960; P.L. 86–624) to enable the State of Hawaii to invest its grant in corporate equities including mutual funds; and

Be it further resolved that certified copies of this Concurrent Resolution be transmitted to Senator Hiram L. Fong, Senator Daniel K. Inouye, Representative Spark M. Matsunaga, Representative Patsy T. Mink, members of Hawaii's congressional delegation; Mr. John W. Gardner, Secretary of the Department of Health, Education and Welfare, Mr. Russell I. Thackrey, Executive Director of the National Association of State Universities and Land-Grant Colleges, and Dr. Thomas H. Hamilton, President of the University of Hawaii.

UNIVERSITY OF HAWAII,
Honolulu, Hawaii, October 10, 1967.

Hon. HIRAM L. FONG,
U.S. Senator,
New Senate Office Building,
Washington, D.C.:

This is in response to your letter of September 22 concerning the proposal that the University of Hawaii be permitted to invest Morrill Act funds in corporate equities.

At present the University has two endowment funds. One consists of private endowment which the Board of Regents is authorized to invest without restrictions. The Regents have pooled these funds together in a Common Trust Account, and have engaged the professional investment services of Bishop Trust Company to invest these funds in stocks, bonds, and other securities.

The other endowment fund is the Morrill Act funds. Under the provisions of Act 158, Session Laws of Hawaii, 1961, the director of Budget and Finance of the State of Hawaii is the custodian of the funds. He is required to invest these funds in accordance with the restrictions of the Morrill Act that the funds be invested in bonds of the United States or of the State or some other safe bonds. A copy of Act 158 is attached.

We are in favor of the amendment which will enable us to invest part of the Morrill Act funds in corporate securities. Otherwise, the value of the original $6 million endowment may decline in value over time because of the long-term inflationary trend.

THOMAS H. HAMILTON,
President.

[Session Laws of Hawaii, 1961]

ACT 158

An act accepting the land-grant college aid and designating its beneficiary and custodian

Be it Enacted by the Legislature of the State of Hawaii:

Section 1. The State of Hawaii hereby accepts and assents to the terms and provisions of paragraph 14(e) of the Act of Congress, approved July 12, 1960, entitled: "To amend certain laws of the United States in light of the admission of the State of Hawaii into the Union, and for other purposes" (Public Law 86–624), and hereby consents to receive the benefits thereof in the manner and form and for the purpose in said act intended and provided.

Section 2. Until otherwise provided by law, the University of Hawaii established by Article IX, Section 4 of the Constitution of the State of Hawaii, shall be the beneficiary of the income from the funds in said act mentioned, and shall use and disburse the income from the funds only for the purposes and in the manner provided in said act. In addition, the income shall be subject to the provisions of Chapter 35, Revised Laws of Hawaii 1955, as amended.

Section 3. The director of the budget is hereby authorized to receive and shall be the custodian of the funds. He shall invest the funds in the manner provided by said act and pay to the University of Hawaii the income earned by the funds.

Section 4. This Act shall take effect upon its approval.

(Approved July 8, 1961.) S.B. 38.

INTRODUCTION OF BILL ON THE LITTLE DELL PROJECT, SALT LAKE CITY STREAMS, JORDAN RIVER BASIN, UTAH

Mr. MOSS. Mr. President, the final reports from the U.S. Army Corps of Engineers, and other Federal departments, on the Little Dell project, Salt Lake City streams, Jordan River Basin, Utah, were received by the Senate Public Works Committee yesterday. I have been waiting for this report and I am today introducing a bill to authorize the project. Its total cost has been estimated at $22,664,000, with the cost to the Federal Government established at $12,250,000. All of the costs allocated to water supply features must be paid back to the Federal Government by local interests, and approximately half of the fish and wildlife and recreation costs will also be repaid.

My bill modifies and considerably broadens the original authorization for the Little Dell project which was contained in the Flood Control Act of July 14, 1960—Public Law 86–645. As now proposed, the Little Dell project will not only materially alleviate the flood hazard to Salt Lake City from damaging flows originating on Parley's Creek, but will also protect Salt Lake and areas to the south of it from flows originating also on Emigration and Mill Creeks. It embraces much of the Salt Lake City watershed.

The project would also greatly improve the municipal water supply by providing sufficient reservoir capacity for storage of water during years of high runoff for use in years of low runoff. The earlier plan also provided water for municipal and industrial use, but in more limited quantities.

There is no question that this additional water supply will be needed by the Metropolitan Water District of Salt Lake within the next few years. Studies made by the Berger Associates, Inc., of Salt Lake City, who undertook the investigations and prepared the plans upon which the revised Little Dell project is based, have stated that the water supply from Little Dell would cost less per acre foot than water from similar potential projects on Big and Little Cottonwood Creeks or from the proposed central Utah project now under construction by the Bureau of Reclamation.

I support the construction of both the Little Dell project and the central Utah project because I am convinced that Utah needs the water both will make available. Our rapid expansion of population and industry demands it. We cannot afford to overlook or delay the development of water from any source in our State—we need it all. The sooner we develop and put to beneficial use every drop of water we have, the more secure will be our future.

Little Dell is a multiple-purpose project which proposes to store about 50,000 acre-feet of water behind an earthfill dam on Dell Creek, a tributary of Parley's Creek. Some 1,350 acres of land would have to be acquired for the project, but almost all of it is presently held by the Salt Lake City Corp.

Since it was my Public Works Committee resolution which in May 1963 directed the Department of the Army to study the Berger Associates report on Little Dell, and report on it to Congress, it is a pleasure to introduce, some 4 years later, a bill to authorize the enlarged project. The Senate Public Works Committee intends to resume hearings on the omnibus flood control bill sometime in January or February of next year, and I shall ask that the Little Dell project be included in the measure which the committee reports. I am delighted that it is—at long last—ready for congressional authorization, and now introduce the bill for appropriate reference.

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

The bill (S. 2611) authorizing construction of a multiple-purpose dam and reservoir at the Little Dell Site, Dell Creek, Salt Lake City streams, Utah, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Public Works.

A BILL TO END THE UNFAIR COMPETITION OF TAX-LOSS FARMING

Mr. METCALF. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code to prohibit persons who are not bona fide farmers from using losses incurred in their farming operations as an offset to income from other sources.

This is a bill to end unfair competition with bona fide farmers by wealthy townsmen who find it advantageous to buy farms, pour capital into fences, building repairs, machinery, and stock, then claim farm losses for several years as a credit against their other income, but wind up finally with capital gains taxable at the advantageous capital gains rate instead of regular income tax rates.

The need for this bill is revealed in a publication by the Internal Revenue Service on sources of income of individuals. The tabulation for 1965 shows that many high-income townsmen are claiming losses from farming operations regularly; and the wealthier they are the more certain they are to file schedule F, farm returns, claiming losses.

Whether they are hobby farmers, or simply avoiding regular income tax rates, they are unfair competitors for those of our citizens who have to make their living from producing the bulk of the food and fiber this Nation requires. This unfair competition not only weakens the economic base of bona fide farmers, it weakens the reliability of our food-producing industry.

The situation is comparable to the unfair practice retail chains sometimes used to drive competition out of one locality after another. The chains charged high prices in areas where they had little or no competition to finance cutthroat pricing in areas of intense competition; when competitors were destroyed, then prices were increased to finance the next aggression against independent stores in another locality.

In the case of agriculture, the nonfarmer competition is not intentionally predatory. Nonfarm individuals and interests are using income from nonagricultural pursuits to move into farming on a loss basis because our tax laws make it profitable for them to incur operating losses which can ultimately be recaptured in the form of capital gains from livestock or the farm itself.

The IRS study for 1965 shows that 119 individuals with annual incomes over $1 million had farm operations and 87 percent of them—104 of these 119 million-dollar-per-year income earners—reported losses on farming operations. They put money subject to 70-percent taxation into maintenance of a farm, increasing its value—a value which would be subject only to a maximum 25-percent capital gains tax when the farm is sold or they invested in livestock, with the same outcome.

There were 202 individuals with income between $500,000 and $1 million who reported farming operations and 85 percent of them claimed losses from farming.

There were 3,914 individuals with incomes between $100,000 and $500,000 who also reported on schedule F, and 61 percent reported net farming losses.

Only when overall incomes dropped down into the $20,000 to $50,000 category did a majority show earnings from their farm investments. There were, of course, thousands in the $20,000-to-$50,000 bracket who, although in the minority, were using farms as a means of tax avoidance. Business Week magazine on August 23 carried an advertisement directed to businessmen suggesting that buying a farm could be a "good long-term investment" with "tax benefits."

The bill I have offered does not prohibit farming operations by nonfarmers. It simply forbids the use of farming as a tax avoidance mechanism. The bill provides 3 years for nonfarmers who acquire land by devise or debt settlement to adjust their holdings. It gives bona fide real estate dealers a year, in addition to the year of acquisition, to turn land or get it on a profitmaking basis, rather than a loss basis in unfair competition with bona fide farmers who have to have earnings or go bankrupt.

It also gives nonfarmers who acquire a farming enterprise by purchase or exchange, and who certify that they intend to become bona fide farmers, an opportunity to become such without losing their excess loss deductions in their early farming years.

The denial of the right to offset nonfarm income with farm losses extends to corporations unless 80 percent or more of their stock of all kinds is held by bona fide farm operators.

Corporations are moving into farming at an increasing rate. Mr. President, I regret this trend. I believe that a strong agricultural citizenry—independent farmers—are infinitely preferable to corporation farming with hired labor. Family-type agriculture results in a better community, with more churches, better schools, more business opportunities and a generally higher social organization than will be found in a hired labor community. But the bill I have presented does not forbid corporations getting into farming. Lawyers tell me that is a job for the States. It will, however, eliminate the possibility of corporations getting Federal tax rewards for engaging in loss operations in the farming field.

This is not the first effort made to plug the agricultural loophole in our tax laws for wealthy nonfarmers. In 1963, President Kennedy's tax message proposed a redefinition of capital gains to treat capital gains from the disposition of property used in the trade or business of farming as ordinary income to the extent that such gains resulted from prior farm deductions.

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

The bill (S. 2613) to amend the Internal Revenue Code of 1954 to provide that farming losses incurred by persons who are not bona fide farmers may not be used to offset nonfarm income, introduced by Mr. METCALF, was received, read twice by its title, and referred to the Committee on Finance.

Mr. METCALF. Mr. President, I ask unanimous consent to place in the RECORD a portion of the President's 1963 tax message explaining the proposal.

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

It is aimed at the practice engaged in by some taxpayers with high-bracket salary or other nonfarm income of securing a tax advantage by investing in farm activities which tend to produce losses in the early years of investment but which subsequently give rise to capital gains income.

One example is the raising of livestock. Under existing law, the sale of livestock held for dairy, breeding, or draft purposes may be accorded capital gains treatment. An investor may purchase such livestock and deduct the expenses attributable to their care and maintenance. In addition, he is entitled to depreciation deductions with respect to the cost of the herd. These deductions offset the taxpayer's high-bracket nonfarm income. Later, the herd may be sold at a capital gain taxed at the capital gain rate. Even though the investor may have enjoyed no profit from the transaction computed before taxes, or indeed may have actually suffered a loss, the difference in the rate of tax on high-bracket ordinary income and capital gains income makes possible a substantial after-tax profit. Similar advantages may be secured by investing in the development of citrus groves, fruit trees or similar income-producing trees, or plants, which do not produce income during the period when the trees or plants are being grown but which, when they mature, produce regular crops of fruits, nuts, grapes, or berries. Or again, the tax advantage may be obtained by purchasing uncleared land for conversion to farmland, and in some cases for ultimate use in real estate development. Losses will be created at first due to expenditures for such items as clearing, irrigating, and enhancing the value of the land. This process may convert the land to valuable farm property or property valuable for real estate development and then be sold at a substantial capital gain.

These practices by those with high-bracket nonfarm income tend to create unfair competition for farmers who may be competitors and who do not pay costs and other expenses out of tax dollars but who must make an economic profit in order to carry on their farming activities.

Under the proposal, in taxable years beginning after December 31, 1963, taxpayers would keep an excess deductions account which would be increased each year by the amount of the excess of farm deductions over ordinary farm income and reduced by any excess of farm income over farm deductions. In the year of a disposition of property used in the trade or business of farming, what would otherwise be a capital gain with respect to such disposition would be treated as ordinary income to the extent of the amount in the account.

MILITARY DENTAL CARE PROGRAM

Mr. KENNEDY of New York. Mr. President, I introduce, for appropriate reference, a bill which would give to the uniformed services the legal authority to provide dental care to dependents of men on active duty, either in service facilities on a space available basis, or by permitting dependents to obtain care from civilian dentists. I am proposing this legislation because I believe it is badly needed, and because I think that justice requires it.

In 1956, Congress—in Public Law 84–569—gave to the uniformed services the authority to pay for care in civilian hospitals for dependents of men on active duty, with care provided by civilian physicians. At the time the Congress took this step forward it also took a step backward, and prohibited service facilities from giving routine dental care to these dependents, which had been provided up to that time. Under the terms of the 1956 legislation, dental care from that time forward could be provided to dependents in service facilities only for emergency conditions; apart from this emergency care, the men in the services were thereafter required to pay for all routine dental care and preventive dental services needed by their dependents. This legislation, then, granted some new benefits and took away some old ones. After reviewing the facts and the record, I find the 1956 decision on dental care should now be reversed. The dependents of servicemen are no different from other people; considered as a group they require all sorts of care—medical, surgical, psychiatric, dental, together with such ancillary services as laboratory tests, physical therapy, nursing, and so on. I see no reason why any one of these categories should be prohibited. What is required is complete care for the whole person.

During the 89th Congress, I introduced a bill (S. 3169) to increase the range of medical benefits available to service dependents, and to add to these medical benefits a special program for the care of retarded and physically handicapped children. Provisions of this bill, together with provisions of a related House bill and provisions added by the Senate Armed Services Committee, emerged in the form of Public Law 89–614. That law was not perfect but it was a major step forward.

The bill I am introducing today will, I hope, be another step toward providing total care for the whole person by providing the authority to pay for dental care.

The idea of dental care as a fringe benefit is not a new one. As I have explained, the 1956 legislation to a considerable extent conferred new and different benefits in exchange for the partial surrender of old ones in the field of dental care. I believe this was a mistake, which should now be corrected, and would be by the legislation I introduce today.

In civilian life dental care as a fringe benefit is rapidly becoming a common feature of collective bargaining and of cooperative and commercial health insurance plans. In a little more than 2 years the dental service corporation—the dental-care equivalent of Blue Shield medical care plans—have increased their coverage from some 200,000 persons to approximately 1,500,000 persons, and this rapid increase is continuing. Blue Shield—and Blue Cross—plans are adding a measure of dental care to their programs and the commercial companies are rapidly entering the field. For example, the Metropolitan Insurance Co. now has in effect a dental plan covering the employees of New York City; on the other side of the country, the Aerojet General Corp. in California has recently developed a dental care plan covering 80,000 employees. And, between these geographic extremes, unions, employers, and insurers are almost daily developing dental care plans covering more and more people. About 4 million people now have full dental care coverage; the number of those with partial coverage is not known but it certainly numbers in the millions. If present trends continue, by the end of this decade we can reasonably expect several tens of millions of Americans will be protected by a dental care plan of some kind.

I believe that the Congress should not temporize with the issue. I see no justification for postponement, for continuing a long slow series of little-by-little concessions that may possibly add up to an approximation of adequate health care at some indefinite future date. We can and should take the step of making dental care available now.

There is evidence that the dental profession would be receptive to a program such as the one I introduce today; there is also evidence that the Department of Defense would be receptive. On July 25 and 26, 1967, a subcommittee of the House Armed Services Committee held hearings to consider the feasibility of adding dental care to the medical benefits available to dependents of men in uniform.

Representatives of the American Dental Association testified as follows:

> It is increasingly commonplace in the United States for employers to provide what are called fringe benefits. Certainly it is only reasonable to assume that, in this regard, Federal employees have the same right as do those in the private sector to seek and receive such employment benefits. Were Congress to enact legislation, soundly devised mechanisms now exist that are more than adequate to administer any program that might be contemplated.

Thomas D. Morris, Assistant Secretary of Defense for Manpower, made the following statement to the House committee:

> By . . . restricting the eligibility of dental care to active duty dependents only, and varying the deductible and co-insurance features, we believe the plans arranging in costs from about $60 to $100 million in the first year would be worthy of consideration.

The legislation I am proposing fits Assistant Secretary Morris' prescription. Its coverage is consistent with his statement, and its costs fall just above the midpoint of the upper and lower limits set by his testimony. Appraised in terms of our military effort the cost is relatively small. The bill will probably cost in the neighborhood of $85 million. However, this would not require an increase of that amount in military budgeting. For all indications are that the costs of the benefits extended to the dependents of several personnel by Public Law 89–614 are running substantially less than anticipated. If this continues, the costs of dental care could to a considerable extent be financed by these savings. I believe this body should consider current circumstances, concede the need as an imperative requirement, and take the necessary action. It is my hope that the Congress will support this proposal in the same fashion that it supported last session's legislation—unanimously, in both Houses.

Mr. President, I ask unanimous consent that the bill and a sectional analysis be placed in the RECORD at the close of my remarks.

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

The bill (S. 2614) to amend chapter 55 of title 10, United States Code, to provide additional dental care for dependents of active duty members of the uniformed services, introduced by Mr. KENNEDY of New York, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

S. 2614

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 55 of title 10, United States Code, is amended as follows:

(1) Section 1077 is amended—

(A) by amending subsection (a)(10) to read as follows:

"(10) Dental care."

(B) by repealing subsection (a)(11) and (12).

(2) Section 1079 is amended—

(A) by inserting the words "and dental" between the words "medical" and "care" in subsection (a);

(B) by amending subsection (a)(1) to read as follows:

"(1) With respect to dental care, only that care specified in subsection (g) may be provided;"

(C) by adding the following new subsection at the end thereof:

"(g) Plans contracted for under subsection (a) shall provide for all necessary dental care as determined under joint regulations prescribed by the Secretary of Defense and the Secretary of Health, Education and Welfare:

"(1) Such plans shall contain provisions for payment by the Government of all expenses incurred in an amount of more than $25, or, if the patient is under 15 years of age, $10, for dental care that is determined to be necessary by a dental examination and that is completed within 120 days after that examination or, if unusual circumstances exist as determined by the appropriate Secretary, within 180 days.

"(2) Such plans shall also contain provisions for payment by the patient of such additional charges, if any, as the Secretary of Defense, after consulting the Secretary of Health, Education and Welfare, may prescribe for specific procedures for which he considers an additional charge to be appropriate. Such charges, however, may not exceed 25 per centum of the total charges for the types of care covered."

(3) Section 1086 is amended by adding the following new subsection at the end thereof:

"(f) For persons covered by this section, the plans contracted for under section 1079 (a) of this title shall, with respect to dental care, provide only that care required as a necessary adjunct to medical or surgical treatment."

SEC. 2. This Act becomes effective July 1, 1968.

The sectional analysis presented by Mr. KENNEDY of New York is as follows:

SECTIONAL ANALYSIS

Section 1 amends sections 1077, 1079 and 1086 of chapter 55 of title 10, United States Code (the Dependents' Medical Care Act).

Clause (1) repeals the present restrictions on dental care for dependents in facilities of the uniformed services and would have the effect of specifically authorizing all types of dental care in the future, subject to the "space-available" concept.

Clause (2) provides that the civilian health plans which the Secretary of Defense contracts for under section 1079 of title 10 for the spouses and children of active duty members of the uniformed services shall include provisions for all necessary dental care for such persons, except care primarily intended for cosmetic purposes.

It further provides, in effect, for the payment by the member of the $25 deductible ($10 if the affected dependent is 14 years old or younger) for care determined to be necessary and completed during a four months period, or during a six months period if extensive surgical intervention is involved.

It also provides that the Secretary of Defense may prescribe additional charges for various special types of dental care (for example, dentures, crowns and bridges) if he wishes, but with the proviso that such additional charges, if any, may not exceed 25% of the total charges.

Clause (3) is a technical amendment which restates present provisions of law limiting dental care from civilian sources for retired members and their dependents, and the dependents of deceased retired and deceased active duty members, to that care required as a necessary adjunct to medical or surgical treatment.

Section 2 provides that the civilian dental care program covered by the bill shall become effective on July 1, 1968.

PROPOSED DEDICATION OF LAW DAY, MAY 1, 1968, TO THE LAW-ENFORCEMENT OFFICERS

Mr. HOLLINGS. Mr. President, I introduce today for appropriate reference a joint resolution for the purpose of dedicating Law Day 1968 to the law-enforcement officers of America.

Congress enacted Public Law 87–20 in 1961 calling for each May 1 to be designated as "Law Day." Since the time of its passage the annual festivities have centered on individual freedom and rights under law but have, in the main, ignored the group charged with guaranteeing these rights and maintaining these freedoms—the law-enforcement officers of America.

Mr. President, the law-enforcement officers of this country are charged with a formidable task. They are entrusted with this country's most valuable possession—a body of laws developed by a free people in order to govern themselves.

This body of laws was enacted for the purpose of guaranteeing the rights of every individual without infringing on the rights of any other individual. However, no legislative language can completely accomplish that end. In actual practice this task requires judgment and dedication as well as an abiding belief that the law always supersedes the wishes of the individual. But more than this it requires an exceptional ability to reason, for, as Sir Edward Coke wrote: "Reason is the life of the law."

And, Mr. President, there is no question but that reason has prevailed. Despite almost unbearable provocation from the criminal, the police officers of this Nation have done their duty and they have done it well. Their hours are long, their pay well below what they deserve. Yet they continue on, doing their best to make our society a fit one in which to live.

For these reasons, I believe it only proper that the meaning of Law Day be expanded to include the policeman on the street—the man with the uniform who day in and day out works to make our cities and our towns a safe place in which to live and work.

I ask unanimous consent that the joint resolution be printed at this point in the RECORD.

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

The joint resolution (S.J. Res. 119) to dedicate Law Day of May 1, 1968, to the law-enforcement officers, introduced by Mr. HOLLINGS, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S.J. RES. 119

Whereas, the first day of May of each year was designated as Law Day, U.S.A., and was set aside as a special day of celebration by the American people in appreciation of their liberties and in reaffirmation of their loyalty to the United States of America; and of their rededication to the ideals of equality and justice under law in their relations with each other as well as with other nations; and for the cultivation of that respect for law that is so vital to the democratic way of life: Be it

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, That in the celebration of Law Day, May 1, 1968, special emphasis be given by a grateful people to the law enforcement officers of the United States of America for their unflinching and devoted service in helping to preserve the domestic tranquillity and guaranteeing to the individual his rights under the law.

TRADE AND TARIFFS

Mr. BROOKE. Mr. President, it was 5 years ago this autumn that the Trade Expansion Act was signed into law.

It was less than 4 months ago that the round of international trade negotiations initiated under that act was culminated at Geneva.

And it was less than 2 weeks ago that the Senate Committee on Finance heard eloquent testimony in defense of quotas on a variety of imports ranging from steel and textiles to strawberries and mink.

At a time when this Nation's economy has reached unprecedented levels of production and employment, when the value of our trade with other nations stands at an alltime high, no less than 90 percent of the Members of the Senate have sponsored legislation placing limits, or quotas, on imports of various products.

Those who were instrumental in securing the agreements of the Kennedy round, and those who support them, contend that not only would the passage of this legislation undo all of their efforts since 1962, it would send us back to the "worldwide protectionist rat race" of the early 1930's. Britain, France, Germany, and the Scandinavian countries have all expressed shock and dismay at protectionist trends in the Congress. The President of Mexico made a dramatic appearance before a joint session of Congress just last week to plead for a continuation of the present, freer, American trading policies. It is argued that passage of the proposed quota legislation would result in a serious loss of faith in America's integrity and intentions. The revenues and the economies of our trading partners could suffer severe damage.

I appreciate the problems of these countries. I sympathize with the need of the developing nations to find a market for their raw materials and to provide the jobs and goods and income for their people which only foreign trade can supply.

But, Mr. President, at the same time I represent a State whose industry is suffering from foreign competition. I have visited New Bedford, Lawrence, Haverhill, and Fall River, where in the last 10 years 100 Massachusetts textile firms have been forced to close down, due mainly to foreign imports.

Last year nine footwear companies went out of business in Massachusetts alone because they could not compete with products made by cheaper foreign labor.

Boston, New Bedford, and Gloucester once ranked among the great fishing capitals of the world. Today, 20-year-old rusty trawlers put out to sea, to return days later with their hulls half-filled, their aging crews exhausted, and barely able to earn enough for their catch to pay for the cost of the trip.

Mr. President, it is the responsibility of a U.S. Senator to be concerned about the needs of the industries and the people of his State. I have seen fit to sponsor a bill to place a quota on electronics imports, and I have cosponsored bills establishing import quotas on shoes, textiles, groundfish, and mink.

I have done this because I am persuaded of the great and pressing needs of these industries today. But I am not satisfied that this is either the best or the only way to deal with a national and an international problem.

I am not satisfied that the only alternatives open to us are tariff reductions, or import restrictions.

I am not satisfied that foreign trade alone has caused all of the problems which these industries face, or that limitations on imports will provide the best solution.

I am not satisfied that there is a full understanding of the ramifications which quota legislation would have upon our own exporting industries, or upon our trading partners.

And it is because of this doubt which I believe is shared by a number of my colleagues that I propose the creation of a Special Commission on Trade and Tariffs, to investigate fully the alternatives open to us and the possible impact of our present considerations.

This Commission should be composed of economists and historians, Government officials and members of the business community. It should investigate the historical implications of various trading policies. It should hear testimony from industry and agriculture, banking and foreign trade. It should hear fully the views of the other nations of the world. And it should report, within a year, its findings and recommendations. The information which it thus provides could then serve as a basis for a rational and comprehensive trading policy, whose implications and effects will be anticipated and provided for.

Mr. President, I introduce, for appropriate reference, a joint resolution calling for the creation of a Special Commission on Trade and Tariffs, and ask that it be printed.

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

The joint resolution (S.J. Res. 120) to create a Special Commission on Trade and Tariffs to investigate trading policies, introduced by Mr. BROOKE, was received, read twice by its title, and referred to the Committee on Finance.

Mr. BROOKE. Mr. President, I also ask unanimous consent that a speech which I delivered last Thursday to the Associated Industries of Massachusetts on this subject be printed in the RECORD.

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

STATEMENT OF SENATOR EDWARD W. BROOKE ON FOREIGN TRADE, DELIVERED TO THE ASSOCIATED INDUSTRIES OF MASSACHUSETTES, OCTOBER 26, 1967

Last week, a committee of the United State Senate held hearings on a matter which is of interest and importance to all of us. It is a matter which could have a profound impact upon every nation in the world. It could affect the course of international relations for decades to come. It could affect the lives of every man, woman and child on this planet.

I do not refer to the war in Vietnam, as serious as that conflict is. Nor do I refer to our decision to deploy an anti-ballistic missile system, though that, too, may have consequences far beyond our present expectations.

I refer to something much closer to each of you, particularly, for you represent the business community of one of our largest and most industrial states. The subject I discuss with you today is the effect of foreign trade upon American industry.

We in this country do not often put our trade policy in the same category with national defense and foreign wars when we begin to enumerate factors influencing the security and well-being of this nation. But when I "search the seventies," as you have suggested, I can see the profound impact that our present economic policies may have on our own people, on our allies, and on the developing nations of the world.

First, what is it we want in our world of the seventies? Well, we want a peaceful world. We want a prosperous world. And we want a world in which there is still room for progress and personal achievement. Nor are we selfish in our aims. We would like to see our Allies share in this peace, progress and prosperity. We would like to see the developing nations begin to move, and to provide a more acceptable standard of living for their impoverished millions. And we would even like to see the Communist nations share in the general well-being, if such participation will modify their ideology and their objectives.

But we are faced with a critical decision: Which of those alternatives presently open to us will best help us to achieve these objectives, and conversely, which will hinder?

Last week the Senate Finance Committee heard testimony to the effect that protection of American industry was imperative if this nation were to maintain a healthy economy.

On the other hand, the Committee also heard evidence that any barriers which we erect to free international trade will meet with retaliation, and the results will be harmful not only to our relations with other nations, but to American industry as well.

I do not hesitate to admit to you that I have always considered myself a free trader. I believe in an international division of labor, and the resulting benefits to the consumer from free competition in the marketplace. But since coming to the United States Senate, I have become increasing more familiar with the particular problems of Massachusetts industry. And I have become more impressed with the persuasive arguments for protecting some of those industries from foreign competition.

Five of the bills presently pending before the Senate Finance Committee, requesting importing quotas on certain goods, bear my name. I introduced on behalf of myself and ten co-sponsors S. 2539, a bill to provide for an equitable sharing of the United States market by electronic articles of domestic and foreign origin.

I co-sponsored S. 1796, a bill to provide a quota on textile imports; S. 1897, to establish a quota on mink imports; S. 2411, to limit the amount of groundfish which may be brought into the country; and S. 2540, to limit our imports of foreign-made shoes.

I chose to support this legislation because I believe that these industries have been seriously injured by foreign competition and that their survival as profitable industries is seriously threatened. To cite a few examples:

Textile imports have risen sharply in the last 10 years. In that time, more than 100 firms have closed down in Massachusetts alone, reducing employment in this field from nearly 52,000 to less than 40,000.

The number of home radios sold in the United States in 1966 was 26.1 million more than the number sold in 1958. But foreign imports provided 23.2 million of these, or 88.8 percent.

Foreign imports now account for 40 percent of the domestic market for mink pelts. As a result 2,700, or 38 percent, of American mink ranches have been forced out of business since 1959.

Nearly one-fourth of the total number of shoes sold in this country is now imported. In Massachusetts alone, nine footwear companies were forced to close down last year.

In less than ten years America has declined from the leading fishing nation in the world to the fifth-ranked nation. American fishermen are now supplying less than 20 percent of the domestic market.

Obviously, these industries are suffering. They need help. Import quotas, which reserve a fixed percentage of the American market for American producers, seem to be one way of meeting the problem. But are quotas the best way? Are they the only way? And most important of all, will they help us to achieve the objectives we seek?

There is no simple answer to these questions. Divisions of opinion occur not only among economists and government officials. but even within the various industries themselves. There is, for instance, a sharp difference of opinion within the fishing industry over the value of import quotas on groundfish. Fish processors argue that American fishermen do not catch enough fish to supply their needs, and a quota on imports would force them to restrict production. This, they point out, would lead to higher prices, and a smaller market for fish for everyone—the American fishermen included.

The electronics industry wants to be protected from a flood of imports of inexpensive component parts. But those companies within the industry which manufacture electrical appliances contend that these foreign imports are essential if they are to continue to supply television sets and stereo equipment to the consumer at a price he can afford. They have even established branch factories abroad in order to take full advantage of the lower costs of labor and raw materials.

Similar examples may be cited for almost any industry in this country. It is impossible to protect a given interest, whether through quotas, or tariffs, or any other means, without affecting innumerable others. This is the basic fact with which we must deal in debating the relative advantages and disadvantages of free trade versus protection.

Today there are few if any knowledgeable individuals who would argue for total free trade or complete protection. But there are certain advantages which can be gained from looking at these arguments in their purest form. By so doing, we can gain a clarity of view and an historical perspective which will be of assistance to us in considering the present issue.

The arguments for free trade are first of all rooted in a theory of society: the social fabric of the civilized world is based on a division of labor. Progessing from the fact that a division of labor worked well on the farm, in the village, even in primitive tribal situations, the "free trader" has deduced that the same will hold true for nations. All nations have the resources for producing some goods, and they should devote their energies to producing those goods which they can produce most efficiently and cheaply. They can then trade their products for the products of other nations, just as in tribes and villages goods were produced and traded for goods of equal value.

A second argument for free trade points out that it is cheaper for nations to produce those goods for which they have the resources, and to import the others. Through trade, they can obtain a greater quantity of goods for a given expenditure of effort than they could produce at home, and because the price is likely to be lower, the purchasing power of the people is thereby increased as well.

A third argument is that trade and production can seek their own level much more easily under a free trade system, with production geared to world demand and exports paying for imports. If the trade system is managed in any way, a disruption of the domestic economy through such natural catastrophes as a drought or a strike will result in a suddenly increased demand for foreign products. These will have to be paid for not in exports but in currency. The result will be harmful to the entire economy.

A classic example of this type of disruption occurred in Britain in 1838–43, when a series of unproductive summers resulted in a sudden fall in the corn crop. Britain was forced to import vast quantities of corn to feed her people, and to pay for this corn in British gold. In less than a year and a half, British gold reserves in the Bank of England fell from 10-million pounds to 2½-million pounds. It is argued that if corn had not been protected, imports would have been a fairly constant factor which would have been compensated for by exports, and a disruption of domestic production would not have had such drastic consequences.

Expansion of the market is another argument for free trade. If goods are freely admitted to a nation, then the cheapest products are available to the people, and their overall purchasing power rises. Thus the demand increases not only for the imported goods, but for all goods. The increase in purchasing power leads to an expansion of production in many fields, which in turn leads to more employment and even larger markets. These effects, in turn, are felt not only at home, but in the expansion of foreign markets as well.

It is also argued that wealth consists of goods and services—real or obtainable. Since trade increases the flow of goods, it increases a nation's total wealth as well.

And finally, proponents of free trade argue that it is good because it works. They point to the example of Holland and Flanders in the late Middle Ages. These two countries were among the smallest in Europe. They had the most limited natural resources. Yet they were also the two richest nations in Europe because they produced a few goods for which they had the human skills and resources—salt fish and textiles and lace—and traded for the rest. They never erected tariff barriers, they never imposed quotas, and they paid for all their imports with the goods which they manufactured and exported.

I suppose it could be said that the late Middle Ages were exceptional times: that industry and commerce were simpler then, that there was no need to protect infant industries or safeguard older ones, and that now industry is so diversified and competition so intense that the conditions of production have changed qualitatively as well as quantitatively.

This argument was used in Britain in the 19th century, too. It was argued that protective tariffs were needed to safeguard England's established industries and to keep her self-sufficient. But from 1801 to 1841, under strict tariffs, British trade increased less than one million tons in forty years. When the protective tariffs were finally repealed in the 1840's, British trade increased at a rate of over one million tons per decade for the rest of the century. British wealth increased commensurately, as did the wages in her domestic industries.

We might also take the example of the United States in the post-war period. As tariffs have been negotiated downward, the value of our foreign trade has tripled since 1950. We are now exporting more than $30-billion worth of goods per year, while importing goods valued at $25.5-billion. If foreign trade has injured some of our domestic industries, it is obvious it has helped others to significantly expand their markets.

But there are danger signs as well. Imports have increased more rapidly than exports in the postwar period. The brunt of this increase in imports has fallen upon a few selected industries. In a nation where certain industries have traditionally been protected by tariffs or import quotas, a relaxation of trade barriers has not come as as an unmixed blessing. It appears that there may be some valid arguments for limited protection as well.

Let us look at the arguments that have been most often advanced by advocates of "protectionism."

The arguments for protection, too, are rooted in a theory of society: that it is the duty of any nation to consider first the interests and needs of its own people. In protectionist theory, the political doctrine of government "of the people, by the people, and for the people" is extended to the realm of economics as well.

Let us seek how this argument works in practice.

Protectionists contend that certain industries are subject to unfair competition. Low wages, government subsidies, low overhead and low costs of transportation all work together to give certain nations an advantage over the more developed economy of a nation like the United States. Tariffs and quotas are therefore necessary to remove the initial disadvantage of the American producer, and to make American goods competitive with foreign imports.

It has been argued in the past that new industries needed to be protected until they could develop the skills and the capital and the basic equipment to make them competitive with foreign producers. This was particularly true in the early days of our nation, and it is evident that the tariffs imposed on British and French imports in the early 1800's gave a great impetus to American manufacture of textiles, glass, and other essential commodities.

But now we are in the position once held by Britain and France: we have the older industries and the higher cost of production, and it is now argued that our industries must be protected to insure that the investments they represent will not be wasted.

The loss of jobs which results when industries are forced to close down due to competition from cheaper foreign imports is also cited. We have seen the validity of this argument demonstrated all too clearly in the New England shoe and textile and electronics industries.

The need to be self-sufficient in time of war is another argument often advanced by those who favor protection of domestic industry. Free trade leads inevitably to dependence upon other nations for certain goods. We must therefore take into account the possible consequences for this nation if we were to become excessively dependent upon foreign suppliers for such items as oil, steel, textiles and electronic components. They argue that if we ever again become involved in a major war, the results could be disastrous.

All these are reasonable arguments for protecting domestic industry. But over the years protectionism has become a highly emotional issue, and many specious arguments have been developed in support of it, which must be considered and dismissed.

It is sometimes argued that protective legislation is needed to maintain existing wage levels; that if American industry is forced to compete with cheaper foreign imports, wages will not rise, and may in fact even be reduced in order to make our prices competitive. But this argument ignores one very important fact: it is not just the cost of labor in the United States which makes our products more expensive, but the costs of raw materials, services and utilities, transportation, and management expenses as well. American labor may often be worth its higher cost, in fact, because a skilled laborer in the United States can often produce many more items per hour than can his lower-paid counterpart in another country. Thus it seems very unlikely that much would be gained by cutting wages—or even holding them steady—as a means of making American products more competitive. Nor has this ever happened. Industry has preferred, instead, to find cheaper raw materials abroad, to develop new and less expensive methods of production, or even to specialize in products not made abroad, rather than to lower the wages of its workers.

Another specious argument for protective legislation is that by producing more goods at home and reducing our foreign imports, we will thereby keep our money in this country and aid our balance of payments. But as a nation we have consistently exported more goods than we have imported. Last year our exports exceeded our imports by $4.8-billion. It is not trade which is having an adverse effect upon our balance of payments, but our military commitments abroad. Foreign trade can actually help us to restore that balance.

The argument for keeping our money at home also includes a misconception of the nature of money. Money is not an absolute value, even in the U.S. treasury. Money is a medium of exchange, and has value only insofar as it can be used to purchase goods. The wealth of a nation consists of its goods and services, and since trade increases those goods, it thus increases the overall wealth of a nation.

Another fallacious argument for protecting domestic industry is that it protects the "home market." But the result of this type of protectionism as a general policy has all too often been to reduce the number of foreign markets to which a nation has access, thereby cutting back on production in many industries which previously were manufacturing goods for export. This leads to a net loss in purchasing power throughout the nation. Consequently, the nation finds itself "protecting" an ever-dwindling domestic market without finding any additional buyers abroad. Protectionism as a general policy does not work to the advantage of the nation which adopts it.

This nation is not considering the adoption of protectionism as a general policy. But at the present time there are bills before the Senate which seek to impose new or more restrictive quotas on close to $6-billion worth, or about one-third of our dutiable imports. If enacted, we can expect retaliation against those American industries which are most competitive abroad. Several of our allies and major trading partners, including Britain, Japan and the Scandinavian countries, have already threatened us with retaliatory quotas and duties if these bills are enacted. This could conceivably lead the United States to impose even more quotas to protect those industries which would be sure to suffer from such a consequent reduction in foreign trade.

It is evident already that the adoption of a protectionist policy by the United States would have certain foreseeable consequences:

1) Certain industries would be guaranteed an established percentage of the domestic market. They could thus continue in operation, their workers would not be laid off, their plants would not be closed down, and the nation would be guaranteed the benefits of these industries should war or similar disaster shut off the supply of foreign goods.

2) There would be an inevitable rise in the price of these protected items, and a rise in the price of goods manufactured by related industries as well. These costs would be borne by the consumer, and by other American industries which utilized the protected goods.

3) A reduction in American imports would lead to retaliation by our trading partners. As the nations of the world increased their trade barriers to American goods, other

American industries would begin to suffer. Those industries which produce for export would have to reduce the scope of their operations. Instead of eliminating the jobs of textile workers, we might find our machine tool industry was having to close down some of its plants instead!

4) As American trade was reduced in volume, our balance of payments deficit could increase, for our military commitments abroad would probably be maintained. The result would most likely be a decline in world confidence in the dollar as a unit of value. Given a crisis of confidence in our currency, it is not too difficult to foresee the possibility of another depression.

5) The erection of trade barriers would go far toward undermining our assistance program to the developing nations of the world. Part of our goal for the nations of Africa, Asia and Latin America is to make them producers and exporters of goods, and to help them to provide the jobs, for facilities, and the goods needed to raise their own people out of the miserable conditions in which they live. Today, America buys 40 percent of the goods exported by the Philippines; we purchase 60 percent of Canada's exports; 20 percent of India's exports; 35 percent of the goods exported by the South and Central American states; and 30 percent of the exports of Japan. There is no guarantee that these nations would find other markets for their goods, or that they would continue to develop their economies, if American markets were reduced or eliminated for them.

6) There are any number of other conditions which might result were the United States to erect protective trade barriers for a number of its industries. Trade between the developing nations of the world and the Communist states would almost certainly increase. Western Europe might also begin to rely more on the Soviet Union and Eastern Europe for markets and for products it could not obtain from the United States. Prices would rise, and the standard of living would necessarily decline, in a number of other nations. The United States would find itself isolated from the other nations of the world economically.

The United States could no doubt survive a protectionist period better than most of the nations of the world. The United States has the capacity to be more economically self-sufficient than any other nation in the world, due to our vast resources, our skilled population, and our favorable climate.

We would find ourselves entering the decade of the seventies with slightly reduced prosperity, but with probably greater economic stability in terms of continuing industries, continuing jobs, and a relatively steady market.

But is this the best way to achieve the goals we outlined for ourselves at the beginning of this discussion? Is this the best way to insure a peaceful world? A prosperous world? A world in which there is still room for progress and personal achievement?

I do not pretend to know the answer to the problems of American industry. I do know that as trade barriers have been reduced, we have entered upon a period of unparalleled industrial ferment and expansion, a period of ever-growing prosperity for the United States and the industrial nations of the world. I do know that much of this prosperity has been attributed to such economic developments as the Common Market, the General Agreement on Tariffs and Trade, and finally, to the Kennedy Round.

It was just five years ago this month that the Trade Expansion Act was signed into law. It was less than four months ago that the round of international trade negotiations initiated under that act was culminated at Geneva.

I cannot believe that agreements so laboriously arrived at should now be undermined by the very nation that initiated them.

An alternative to protectionism must be found for many of the industries which are now suffering from the consequences of expanded trade.

I do not deny that we need to protect some of our industries. Textiles and shoes, fish and electronics, are all vital to our national security and well-being. We should not become dependent upon foreign imports for these important commodities. But protection of American industry is a technique which must be used sparingly if it is not to have the effect of undermining the economy we seek to save.

Have we fully investigated alternatives to quotas and tariffs? Have we considered the possibilities of government subsidies to industries deemed vital to the national interest? Have we considered the possibility of preferred treatment for underdeveloped nations, to supplement our foreign aid program? Have we tried to persuade our allies in Europe and Asia to lower their own tariffs, quotas and non-tariff barriers on imports from developing nations?

Under the Trade Expansion Act of 1962, the Tariff Commission and the Trade Information Committee were authorized to hold hearings on items which might be considered for tariff reduction. The hearings were extensive. All industries which might be affected by the pending tariff negotiations were given an opportunity to present evidence, and they were encouraged to continue to work closely with the Commission throughout the period of negotiations.

But neither the Commission nor the Trade Negotiating Center extended their hearings to consider the impact on American industry if trade barriers were *not* lowered. Neither of these bodies undertook an historical analysis of the economic conditions within nations in times of free trade and in times of protection. Neither of these bodies considered the theoretical arguments of these two schools of thought.

Thus the United States was fully prepared to negotiate the Kennedy Round of tariff reductions on the basis of their effect upon particular industries. But we are not prepared now to deal with the problem of demands for increased restrictions on imports.

In view of the serious dilemma in which the nation finds itself, I intend to introduce legislation in the Senate calling for the creation of a Special Commission on Tariffs and Trade. This Commission would be composed of economists and historians, businessmen, representatives of labor, and experts in international trade and finance. An equal number of its members would be appointed by the Senate, by the House of Representatives, and by the President. It should have the broadest possible authority to study the history of tariff legislation. It should investigate the effects of periods of free trade and of protection upon the wages, employment, productivity and growth rate of the economy upon the countries of the world. The effect of trade barriers upon exporting industries, and upon industries which must make finished goods from imported components should receive the particular attention of this Commission.

Our allies should be consulted. Representatives of all types of industry should be heard. Industries themselves should begin to consult together and to explore their mutual problems and conflicting interests.

This nation must enter the decade of the seventies with a rational and mutually beneficial trade policy. This can be done if we begin now to apply our ingenuity, our imagination, our intelligence, to the problem of protecting and developing the industries and the trade of this nation and of the world.

I believe the solution can be found. And that is why, when I search the seventies, I see it as a decade of prosperity and progress and personal achievement for all of us—and hopefully, as a decade of peace as well.

PROPOSED UNIFORM NATIONWIDE FIRE AND POLICE REPORTING TELEPHONE NUMBERS

Mr. GRUENING. Mr. President, I submit, for appropriate reference, a concurrent resolution (S. Con. Res. 50), the text of which reads:

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that the United States should have one uniform nationwide fire reporting telephone number and one uniform nationwide police reporting telephone number.

In our highly developed and urbanized society we are plagued by too many horse and buggy problems. We have the technological prowess to send space probes past the planets Mars, Venus, and no doubt beyond Jupiter, Saturn, Uranus, and Pluto, and we are taking steps to land men on the Moon—worthy projects which compliment our scientific ability. Surely then we have the ability to perfect a nationwide system which would make it possible for a citizen to dial one uniform nationwide fire reporting telephone number and one uniform nationwide police reporting telephone number. Looking ahead only a few short years I venture to predict that such numbers could be the basis for an international network of the future.

Today, it is desirable to take the first steps toward national police and fire numbers which will make it possible for a man from Anchorage, Alaska, visiting, let us say, in Mobile, Ala., or Rochester, N.Y., or Laramie, Wyo., to dial the police or fire department in the city in which he is in at the moment to report a fire or an accident or crime or some other emergency. Valuable time can be lost if he has to look up the number or if he dials "operator' and the operator is busy on another call.

About 11 a.m. on November 20 our population in the United States will reach 200 million. Two-thirds of this population, according to the New York Times news story of October 29 by Reporter Joseph A. Loftus, live in metropolitan counties and the proportion is growing.

We may thus assume that the density of population will demand that steps be taken to insure such privacy as is possible. Privacy, however, does not preclude responsibility because crowding can increase the dangers of fire and crime.

The President's Advisory Commission on Civil Disorders notes that the Nation's crime index, subject always to the increase in population, increased 48.4 percent from 1960 to 1966.

And we know from bitter experiences that crowded quarters can breed poverty, despair, sickness, rebellion, crime, and all the other rotten ingredients which combine to create the discontent which unleashes itself in waves of civil unrest.

Uniform nationwide fire reporting and police reporting telephone numbers will not end riots, eradicate criminals, nor prevent fires, but they would provide two sensible tools which could make it possible for a stranger passing through

town to save a burning home or apartment house or let local police authorities know that a store front has been broken into or that a crime is about to be committed. Perhaps, more important, such uniform numbers could put into the hands of our highly mobile society two positive ways to improve its safety.

Most certainly such numbers would be of inestimable value to the young and old who might have difficulty finding the local police and fire numbers.

I have discussed the assistance such uniform nationwide fire reporting and police reporting telephone numbers would have in our urban areas. Equally important is its value in the rural areas.

Take the problems involved in reporting rural fires. Think of the value a single nationwide fire reporting number would have for more than one million Americans donating their time today as members of some 22,000 volunteer fire departments.

Mr. Warren Y. Kimball, manager of the National Fire Protection Association, with headquarters in Boston, Mass., advises me that—

A uniform telephone number for fire emergency calls is highly desirable and a resolution supporting this would be most welcome by members of the fire service.

The National Fire Protection Association has a subcommittee considering what to do about the problem of the sometimes occasional multiplicity of telephone numbers necessary to call fire departments.

The sense-of-the-Congress concurrent resolution I am introducing today has the endorsement and support of first, 23,500 small fire departments who comprise the National Fire Protection Association; second, 6,800 members of the International Association of Fire Chiefs; third, 130,000 members of the International Association of Fire Fighters; and, fourth, 22,500 members of the National Sheriffs Association. The International Association of Chiefs of Police, Inc., advises me that—

If such a plan can be devised in a feasible and practical manner the police of this country would certainly lend their wholehearted endorsement.

The Federal Communications Commission has no objection to the development of uniform numbers for the reporting of fires and for contacting the police.

In conversations with the American Telephone & Telegraph I have learned that while A.T. & T. prefers that customers dial "O" for operator in an emergency, the company does not close the door to development of nationwide emergency numbers. A.T. & T. is concerned about jurisdictional problems and believes details must be worked out first by chiefs of police and fire chiefs. Surely that can be done with a minimum of complications.

THE VALUE OF TIME

What is the value of time in lives, in money, in comfort, as a barrier between warmth and cold?

At what point does the telephone call made in the shortest time possible save a life, a house, prevent a civil disturbance, keep a window pane or a family intact?

Throughout our history literary figures have discussed "time."

Shakespeare said it was "that old common arbitrator."

Tennyson pointed out that we are "made weak by time."

Benjamin Franklin in his "Advice to Young Tradesman," in 1748 wrote, "Remember, that time is money."

These definitions are true. They point up the desirability of using time wisely and in the case of emergency of using time quickly.

A modern definition of time which came to my attention this week was made by Chief David B. Gratz, of the Silver Spring, Md., Fire Department who also serves as the Washington, D.C., representative of the International Association of Fire Chiefs.

Chief Gratz said:

Time is life. It is a matter of record that in any fire situation temperatures can quickly climb to 1,000 degrees and life perishes. In a minute the temperature can climb several hundred degrees while simultaneously creating poisonous gasses. In night fires in homes most victims are overcome by the carbon monoxide fumes generated by the fire.

Chief Gratz and his men know the value of having an emergency operating center which houses police and fire communications because Montgomery County has such a center. Montgomery County is adjacent to the District of Columbia. Within the county live half a million residents.

The Montgomery County emergency operating center has one number for fire, 424–3111, and one number for police, 762–1000. The center, known as the EOC, is manned 24 hours a day by three fire dispatchers and several police dispatchers. It is located in Rockville and the expenses for the center are paid by the Montgomery County government. The value of the center is increased by the fact that within the county are more than 50 fire departments so it is important that their precise locations and the boundaries within which they operate are known.

Chief Gratz said the Silver Spring Fire District has a legally established boundary defined by the Montgomery County Council, and he has no jurisdictional problems.

He emphasized that the time saved because Montgomery County has an emergency operating center is sufficient in many cases to save somebody's life.

According to Chief Gratz:

Once a fire starts to roll, a couple of minutes can make a great deal of difference. The smaller the fire, the easier to contain it.

Dialing a single number is sensible. Londoners, for example, dial 999 when they want police assistance.

The concurrent resolution I submit today is identical to two which have been introduced in the House of Representatives. On May 25, 1967, Representative J. EDWARD ROUSH, of Indiana, introduced House concurrent resolution 361 for himself and Representatives EMILIO Q. DADDARIO, of Connecticut; GEORGE E. BROWN, JR., of California; JOHN W. DAVIS, of Georgia; WILLIAM R. ANDERSON, of Tennessee, and HENRY S. REUSS, of Wisconsin. On October 18 Representative JAMES FULTON, of Pennsylvania, introduced House concurrent resolution 537. Both proposed concurrent resolutions express as the sense of Congress that the United States should have one uniform nationwide fire reporting telephone number and one uniform nationwide police reporting telephone number. I am pleased to have this opportunity to endorse the proposed legislation they have introduced.

In Alaska emergency telephone numbers differ as they do in other States. The chart which follows this paragraph illustrates some of the problems of reporting an emergency situation in five of the cities in my State. Only long distance is consistently one number in the cities cited.

City	Operator or information	Long distance	Repair
Anchorage	0	110	114
Fairbanks	113	110	116
Ketchikan	113	110	114
Juneau	113	110	114
Sitka	0	110	747–3309

I ask unanimous consent that an editorial commending this proposal from the Anchorage News be printed at the conclusion of my remarks.

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

The concurrent resolution (S. Con. Res. 50) was referred to the Committee on Commerce.

The editorial presented by Mr. GRUENING is as follows:

A UNIVERSAL FIRE AND POLICE PHONE NUMBER IS NEEDED

What strikes us as an admirable proposal was lobbed up in Sitka last Friday at the meeting of the Alaska Municipal League. It was Sen. Ernest Gruening's suggestion that the United States adopt a single universal fire and police telephone number. A number that would apply equally in Nome or Anchorage or New York City or San Francisco.

It's a beguilingly simple idea and like many proposals which qualify for such a description, it will be difficult to fault it in this era of crime and unrest in our cities, unrest which on occasion has so gotten out of hand that the eruptions have unnervingly resembled guerrilla war.

This is hardly to suggest that a universal phone number will resolve the problems of our cities. That incalculably difficult task calls for the coordinated efforts of bright and dedicated men, in and out of government; it calls for the investment of economic muscle on a scale heretofore undreamed of; it calls for a measure of creative leadership and compassionate understanding that, as a people, we have only dimly perceived, much less begun to achieve.

But as we tackle the big job, a single number for fire and police emergencies anywhere in the nation can be regarded as a start in offering all citizens the emotional security of knowing immediately how to get help in any crisis.

The professional fire-fighting and police organizations have lined up behind Senator Gruening's proposal. The Senator will introduce a resolution on the subject in the United States Senate Tuesday. We wish the resolution well and hope it will pass overwhelmingly.

SUBCOMMITTEE SUBSTITUTE FOR H.R. 2516—AMENDMENT

AMENDMENT NO. 429

Mr. ERVIN. Mr. President, on October 25, by successive votes of 8 to 7, the Judiciary Committee rejected a substitute bill proposed by the Constitutional Rights Subcommittee which would have revised the constitutional basis of H.R. 2516, provided protection to the American workingman, and extended the Constitution to the American Indian.

The vote by which the committee accepted one version of H.R. 2516 and rejected another reflects a basic difference in theories of citizenship in a free society. With peculiar inconsistency, the majority reflected their belief that special rights and protections can and should be extended to a limited group of citizens; yet at the same time, they refused to grant rights to a minority group most in need of basic constitutional rights. The substitute bill, on the other hand, reflects a theory of government which would apply the guarantees of law to all citizens, regardless of race, creed, color, or national origin. It also recognizes that no individual should stand, as does the American Indian, beyond the reach of the Constitution.

Mr. President, I introduce the subcommittee substitute in order to give the Members of the Senate an opportunity to protect the rights of all Americans. I expect to offer this amendment in the nature of a substitute as a substitute for H.R. 2516, and ask unanimous consent that it be printed and lie on the table until called up.

I also ask unanimous consent that a copy of the substitute bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The amendment will be received, printed, and will lie on the table; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 429) is as follows:

TITLE I—FEDERALLY PROTECTED RIGHTS

SEC. 101. Chapter 13 of title 18 of the United States Code is amended by inserting at the end thereof the following new section:

"§ 245. Deprivation of rights by violence

"(a) Whoever, whether or not acting under color of law, by force or threat of force sufficient to constitute an assault, willfully injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with any other person because he is undertaking or has undertaken to exercise his right—

"(1) to vote or register to vote, or serve or qualify to serve as a candidate for public office, or serve or qualify to serve as a poll watcher, in any Federal election;

"(2) to serve or qualify to serve as a grand or petit juror in any court of the United States;

"(3) to participate in or enjoy any benefit, service, privilege, program, or activity provided by any facility owned, operated, or managed by or on behalf of the United States;

"(4) to participate in or enjoy any benefit of any program or activity receiving Federal assistance, other than by way of a contract of insurance or guaranty;

"(5) to move or travel in interstate commerce; or use any terminal or facility which serves interstate travelers as a part of, or in connection with, the operations of any carrier in interstate commerce;

"(6) to enjoy the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation, as entitlement thereto is conferred by title II of the Civil Rights Act of 1964;

"(7) to enjoy any equal employment opportunity conferred by title VII of the Civil Rights Act of 1964;

"(8) to make any complaint, or institute any civil action, authorized to be made or instituted under any law of the United States, or inform on any violation of any law of the United States;

"(9) to pursue his employment by any department or agency of the United States or by any private employer engaged in interstate commerce or any activity affecting interstate commerce, or to travel to or from the place of his employment or any other place for such purpose;

"(10) to advocate, encourage, or support the right of any other person or class of persons of the United States to exercise or enjoy any right described in clauses—

"(1) through (9) of this subsection; shall be fined not more than $1,000 or imprisoned for not more than one year, or both, and if personal injury results shall be fined not more than $10,000 or imprisoned for not more than ten years, or both; and if death results shall be imprisoned for any term of years or for life.

"(b) Whoever, whether or not acting under color of law, by force or threat of force sufficient to constitute an assault, willfully injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with any other person while he is in the custody of any United States marshal or other law enforcement officer of the United States shall be fined not more than $1,000 or imprisoned for not more than one year, or both, and if personal injury results shall be fined not more than $10,000 or imprisoned for not more than ten years, or both; and if death results shall be imprisoned for any term of years or for life.

"(c) As used in this section—

"(1) the term 'Federal election' means any general, special, or primary election held solely or in part for the purpose of electing or selecting any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives;

"(2) the term 'interstate commerce' means travel or transportation between any State, Commonwealth, or possession of the United States, or the District of Columbia, and any place outside thereof; or between points within the same State, Commonwealth, or possession of the United States, or the District of Columbia, but through any place outside thereof; or within the District of Columbia or any possession of the United States; and

"(3) the term 'place of public accommodation' shall have the same meaning as prescribed in section 201(b) of the Civil Rights Act of 1964.

"(d) The provisions of this section shall not apply to acts or omissions on the part of law enforcement officers, members of the National Guard, as defined in section 101(9) of title 10, United States Code, members of the organized militia of any State or the District of Columbia, not covered by such section 101(9), or members of the Armed Forces of the United States, who are engaged in suppressing a riot or civil disturbance or restoring law and order during a riot or civil disturbance.

"(e) Nothing in this section shall be construed as indicating an intent on the part of the Congress to prevent any State, any possession or Commonwealth of the United States, or the District of Columbia, from exercising jurisdiction over any offense over which it would have jurisdiction in the absence of the enactment of this section."

SEC. 102. The analysis of chapter 13 of title 18 of the United States Code is amended by adding at the end thereof the following:

"245. Deprivation of rights by violence."

SEC. 103. (a) Section 241 of title 18, United States Code, is amended by striking out the final paragraph thereof and substituting the following:

"They shall be fined not more than $10,000 or imprisoned not more than 10 years, or both; and if death results, they shall be subject to imprisonment for any terms of years or for life."

(b) Section 242 of title 18, United States Code, is amended by striking out the period at the end thereof and adding the following: "; and if death results shall be subject to imprisonment for any term of years or for life."

SEC. 104. Section 8(b)(1)(A) of the National Labor Relations Act (29 U.S.C. 158 (b)(1)(A)) is amended by striking out the semicolon at the end of the proviso and inserting in lieu thereof a colon and the following: *"Provided further,* That it shall be an unfair labor practice under this section for a labor organization to impose or threaten to impose any fine or other economic sanction against any person for exercising any rights under section 7 of this Act or for invoking the processes of the Board;".

TITLE II—RIGHTS OF INDIANS

DEFINITIONS

SEC. 201. For purposes of this title, the term—

(1) "Indian tribe" means any tribe, band, or other group of Indians subject to the jurisdiction of the United States and recognized as possessing powers of self-government;

(2) "powers of self-government" means and includes all governmental powers possessed by an Indian tribe, executive, legislative, and judicial, and all offices, bodies, and tribunals by and through which they are executed, including courts of Indian offenses; and

(3) "Indian court" means any Indian tribal court or court of Indian offense.

INDIAN RIGHTS

SEC. 202. No Indian tribe in exercising powers of self-government shall—

(1) make or enforce any law prohibiting the free exercise of religion, or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble and to petition for a redress of grievances;

(2) violate the right of the people to be secure in their persons, houses, papers, and effects against unreasonable search and seizures, nor issue warrants, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or thing to be seized;

(3) subject any person for the same offense to be twice put in jeopardy;

(4) compel any person in any criminal case to be a witness against himself;

(5) take any private property for a public use without just compensation;

(6) deny to any person in a criminal proceeding the right to a speedy and public trial, to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and at his own expense to have the assistance of counsel for his defense;

(7) require excessive bail, impose excessive fines, inflict cruel and unusual punishments, and in no event impose for conviction of any one offense any penalty or punishment greater than imprisonment for a term of six months or a fine of $500, or both;

(8) deny to any person within its jurisdiction the equal protection of its laws or deprive any person of liberty or property without due process of law;

(9) pass any bill of attainder or ex post facto law; or

(10) deny to any person accused of an offense punishable by imprisonment the right, upon request, to a trial by jury of not less than six persons.

HABEAS CORPUS

SEC. 203. The privilege of the writ of habeas corpus shall be available to any person, in a court of the United States, to test the legality of his detention by order of an Indian tribe.

TITLE III—MODEL CODE GOVERNING COURTS OF INDIAN OFFENSES

SEC. 301. The Secretary of the Interior is authorized and directed to recommend to the Congress, on or before July 1, 1968, a model code to govern the administration of justice by courts of Indian offenses on Indian reservations. Such code shall include provisions which will (1) assure that any individual being tried for an offense by a court of Indian offenses shall have the same rights, privileges, and immunities under the United States Constitution as would be guaranteed any citizen of the United States being tried in a Federal court for any similar offense, (2) assure that any individual being tried for an offense by a court of Indian offenses will be advised and made aware of his rights under the United States Constitution, and under any tribal constitution applicable to such individual, (3) establish proper qualifications for the office of judge of the court of Indian offenses, and (4) provide for the establishing of educational classes for the training of judges of courts of Indian offenses. In carrying out the provisions of this title, the Secretary of the Interior shall consult with the Indians, Indian tribes, and interested agencies of the United States.

SEC. 302. There is hereby authorized to be appropriated such sum as may be necessary to carry out the provisions of this title.

TITLE IV—JURISDICTION OVER CRIMINAL AND CIVIL ACTIONS

ASSUMPTION BY STATE

SEC. 401. (a) The consent of the United States is hereby given to any State not having jurisdiction over criminal offenses committed by or against Indians in the areas of Indian country situated within such State to assume, with the consent of the Indian tribe occupying the particular Indian country or part thereof which would be affected by such assumption, such measure of jurisdiction over any or all of such offenses committed within such Indian country or any part thereof as may be determined by such State to the same extent that such State has jurisdiction over any such offense committed elsewhere within the State, and the criminal laws of such State shall have the same force and effect within such Indian country or part thereof as they have elsewhere within that State.

(b) Nothing in this section shall authorize the alienation, encumbrance, or taxation of any real or personal property, including water rights, belonging to any Indian or any Indian tribe, band, or community that is held in trust by the United States or is subject to a restriction against alienation imposed by the United States; or shall authorize regulation of the use of such property in a manner inconsistent with any Federal treaty, agreement, or statute or with any regulation made pursuant thereto; or shall deprive any Indian or any Indian tribe, band, or community of any right, privilege, or immunity afforded under Federal treaty, agreement, or statute with respect to hunting, trapping, or fishing or the control, licensing, or regulation thereof.

ASSUMPTION BY STATE OF CIVIL JURISDICTION

SEC. 402. (a) The consent of the United States is hereby given to any State not having jurisdiction over civil causes of action between Indians or to which Indians are parties which arise in the areas of Indian country situated within such State to assume, with the consent of the tribe occupying the particular Indian country or part thereof which would be affected by such assumption, such measure of jurisdiction over any or all such civil causes of action arising within such Indian country or any part thereof as may be determined by such State to the same extent that such State has jurisdiction over other civil causes of action, and those civil laws of such State that are of general application to private persons or private property shall have the same force and effect within such Indian country or part thereof as they have elsewhere within that State.

(b) Nothing in this section shall authorize the alienation, encumbrance, or taxation of any real or personal property, including water rights, belonging to any Indian or any Indian tribe, band, or community that is held in trust by the United States or is subject to a restriction against alienation imposed by the United States; or shall authorize regulation of the use of such property in a manner inconsistent with any Federal treaty, agreement, or statute, or with any regulation made pursuant thereto; or shall confer jurisdiction upon the State to adjudicate, in probate proceedings or otherwise, the ownership or right to possession of such property or any interest therein.

(c) Any tribal ordinance or custom heretofore or hereafter adopted by an Indian tribe, band, or community in the exercise of any authority which it may possess shall, if not inconsistent with any applicable civil law of the State, be given full force and effect in the determination of civil causes of action pursuant to this section.

RETROCESSION OF JURISDICTION BY STATE

SEC. 403. (a) The United States is authorized to accept a retrocession by any State of all or any measure of the criminal or civil jurisdiction, or both, acquired by such State pursuant to the provisions of section 1162 of title 18 of the United States Code, section 1360 of title 28 of the United States Code, or section 7 of the Act of August 15, 1953 (67 Stat. 588), as it was in effect prior to its repeal by subsection (b) of this section.

(b) Section 7 of the Act of August 15, 1953 (67 Stat. 588), is hereby repealed, but such repeal shall not affect any cession of jurisdiction made pursuant to such section prior to its repeal.

CONSENT TO AMEND STATE LAWS

SEC. 404. Notwithstanding the provisions of any enabling Act for the admission of a State, the consent of the United States is hereby given to the people of any State to amend, where necessary, their State constitution or existing statutes, as the case may be, to remove any legal impediment to the assumption of civil or criminal jurisdiction in accordance with the provisions of this title. The provisions of this title shall not become effective with respect to such assumption of jurisdiction by any such State until the people thereof have appropriately amended their State constitution or statutes, as the case may be.

ACTIONS NOT TO ABATE

SEC. 405. (a) No action or proceeding pending before any court or agency of the United States immediately prior to any cession of jurisdiction by the United States pursuant to this title shall abate by reason of that cession. For the purposes of any such action or proceeding, such cession shall take effect on the day following the date of final determination of such action or proceeding.

(b) No cession made by the United States under this title shall deprive any court of the United States or jurisdiction to hear, determine, render judgment, or impose sentence in any criminal action instituted against any person for any offense committed before the effective date of such cession, if the offense charged in such action was cognizable under any law of the United States at the time of the commission of such offense. For the purposes of any such criminal action, such cession shall take effect on the day following the date of final determination of such action.

SPECIAL ELECTION

SEC. 406. State jurisdiction acquired pursuant to this title with respect to criminal offenses or civil causes of action, or with respect to both, shall be applicable in Indian country only where the enrolled Indians within the affected area of such Indian country accept such jurisdiction by a majority vote of the adult Indians voting at a special election held for that purpose. The Secretary of the Interior shall call such special election under such rules and regulations as he may prescribe, when requested to do so by the tribal council or other governing body, or by 20 per centum of such enrolled adults.

TITLE V—OFFENSES WITHIN INDIAN COUNTRY

AMENDMENT

SEC. 501. Section 1153 of title 18 of the United States Code is amended by inserting immediately after "weapon,", the following: "assault resulting in serious bodily injury,".

TITLE VI—EMPLOYMENT OF LEGAL COUNSEL

APPROVAL

SEC. 601. Notwithstanding any other provision of law, if any application made by any Indian, Indian tribe, Indian council, or any band or group of Indians under any law requiring the approval of the Secretary of the Interior or the Commissioner of Indian Affairs of contracts or agreements relating to the employment of legal counsel (including the choice of counsel and the fixing of fees) by any such Indians, tribe, council, band, or group is neither granted nor denied within ninety days following the making of such application, such approval shall be deemed to have been granted.

TITLE VII—MATERIALS RELATING TO CONSTITUTIONAL RIGHTS OF INDIANS

SECRETARY OF INTERIOR TO PREPARE

SEC. 701. (a) In order that the constitutional rights of Indians might be fully protected, the Secretary of the Interior is authorized and directed to—

(1) have the document entitled "Indian Affairs, Laws and Treaties" (Senate Document Numbered 319, volumes 1 and 2, Fifty-eighth Congress) revised and extended to include all treaties, laws, Executive orders, and regulations relating to Indian affairs in force on September 1, 1967, and to have such revised document printed at the Government Printing Office;

(2) have revised and republished the treaties entitled "Federal Indian Law"; and

(3) have prepared, to the extent determined by the Secretary of the Interior to be feasible, an accurate compilation of the official opinions, published and unpublished, of the Solicitor of the Department of the Interior relating to Indian affairs rendered by the Solicitor prior to September 1, 1967, and to have such compilation printed as a Government publication at the Government Printing Office.

(b) With respect to the document entitled "Indian Affairs, Laws and Treaties" as revised and extended in accordance with paragraph (1) of subsection (a), and the compilation prepared in accordance with paragraph (3) of such subsection, the Secretary of the Interior shall take such action as may be necessary to keep such document and compilation current on an annual basis.

(c) There is authorized to be appropriated for carrying out the provisions of this title, with respect to the preparation but not including printing, such sum as may be necessary.

Amend the title so as to read: "An Act to prescribe penalties for certain acts of vio-

lence or intimidation; to protect the constitutional rights of Indians; and for other purposes."

AMENDMENT NO. 430

Mr. ERVIN also submitted amendments, intended to be proposed by him, to the bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes, which were ordered to lie on the table and to be printed, and to be printed in the RECORD, as follows:

On the first page, between lines 2 and 3, insert the following:

"TITLE I—ACTS OF VIOLENCE"

At the end of the bill, add the following new titles:

"TITLE II—RIGHTS OF INDIANS

"DEFINITIONS

"SEC. 201. For purposes of this title, the term—

"(1) 'Indian tribe' means any tribe, band, or other group of Indians subject to the jurisdiction of the United States and recognized as possessing powers of self-government;

"(2) 'powers of self-government' means and includes all governmental powers possessed by an Indian tribe, executive, legislative, and judicial, and all offices, bodies, and tribunals by and through which they are executed, including courts of Indian offenses; and

"(3) 'Indian court' means any Indian tribal court or court of Indian offense.

"INDIAN RIGHTS

"SEC. 202. No Indian tribe in exercising powers of self-government shall—

"(1) make or enforce any law prohibiting the free exercise of religion, or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble and to petition for a redress of grievances;

"(2) violate the right of the people to be secure in their persons, houses, papers, and effects against unreasonable search and seizures, nor issue warrants, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or thing to be seized;

"(3) subject any person for the same offense to be twice put in jeopardy;

"(4) compel any person in any criminal case to be a witness against himself;

"(5) take any private property for a public use without just compensation;

"(6) deny to any person in a criminal proceeding the right to a speedy and public trial, to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and at his own expense to have the assistance of counsel for his defense;

"(7) require excessive bail, impose excessive fines, inflict cruel and unusual punishments, and in no event impose for conviction of any one offense any penalty or punishment greater than imprisonment for a term of six months or a fine of $500, or both;

"(8) deny to any person within its jurisdiction the equal protection of its laws or deprive any person of liberty or property without due process of law;

"(9) pass any bill of attainder or ex post facto law; or

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"HABEAS CORPUS

"SEC. 203. The privilege of the writ of habeas corpus shall be available to any person, in a court of the United States, to test the legality of his detention by order of an Indian tribe.

"TITLE III—MODEL CODE GOVERNING COURTS OF INDIAN OFFENSES

"SEC. 301. The Secretary of the Interior is authorized and directed to recommend to the Congress, on or before July 1, 1968, a model code to govern the administration of justice by courts of Indian offenses on Indian reservations. Such code shall include provisions which will (1) assure that any individual being tried for an offense by a court of Indian offenses shall have the same rights, privileges, and immunities under the United States Constitution as would be guaranteed any citizen of the United States being tried in a Federal court for any similar offense, (2) assure that any individual being tried for an offense by a court of Indian offenses will be advised and made aware of his rights under the United States Constitution, and under any tribal constitution applicable to such individual, (3) establish proper qualifications for the office of judge of the court of Indian offenses, and (4) provide for the establishing of educational classes for the training of judges of courts of Indian offenses. In carrying out the provisions of this title, the Secretary of the Interior shall consult with the Indians, Indian tribes, and interested agencies of the United States.

"SEC. 302. There is hereby authorized to be appropriated such sum as may be necessary to carry out the provisions of this title.

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"SEC. 401. (a) The consent of the United States is hereby given to any State not having jurisdiction over criminal offenses committed by or against Indians in the areas of Indian country situated within such State to assume, with the consent of the Indian tribe occupying the particular Indian country or part thereof which would be affected by such assumption, such measure of jurisdiction over any or all of such offenses committed within such Indian country or any part thereof as may be determined by such State to the same extent that such State has jurisdiction over any such offense committed elsewhere within the State, and the criminal laws of such State shall have the same force and effect within such Indian country or part thereof as they have elsewhere within that State.

"(b) Nothing in this section shall authorize the alienation, encumbrance, or taxation of any real or personal property, including water rights, belonging to any Indian or any Indian tribe, band, or community that is held in trust by the United States or is subject to a restriction against alienation imposed by the United States; or shall authorize regulation of the use of such property in a manner inconsistent with any Federal treaty, agreement, or statute or with any regulation made pursuant thereto; or shall deprive any Indian or any Indian tribe, band, or community of any right, privilege, or immunity afforded under Federal treaty, agreement, or statute with respect to hunting, trapping, or fishing or the control, licensing, or regulation thereof.

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"(c) Any tribal ordinance or custom heretofore or hereafter adopted by an Indian tribe, band, or community in the exercise of any authority which it may possess shall, if not inconsistent with any applicable civil law of the State, be given full force and effect in the determination of civil causes of action pursuant to this section.

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"(b) No cession made by the United States under this title shall deprive any court of the United States of jurisdiction to hear, determine, render judgment, or impose sentence in any criminal action instituted against any person for any offense committed before the effective date of such cession, if the offense charged in such action was cognizable under any law of the United States at the time of the commission of such offense. For the purposes of any such criminal action, such cession shall take effect on the day following the date of final determination of such action.

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try accept such jurisdiction by a majority vote of the adult Indians voting at a special election held for that purpose. The Secretary of the Interior shall call such special election under such rules and regulations as he may prescribe, when requested to do so by the tribal council or other governing body, or by 20 per centum of such enrolled adults.

"TITLE V—OFFENSES WITHIN INDIAN COUNTRY

"AMENDMENT

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"TITLE VI—EMPLOYMENT OF LEGAL COUNSEL

"APPROVAL

"SEC. 601. Notwithstanding any other provision of law, if any application made by any Indian, Indian tribe, Indian council, or any band or group of Indians under any law requiring the approval of the Secretary of the Interior or the Commissioner of Indian Affairs of contracts or agreements relating to the employment of legal counsel (including the choice of counsel and the fixing of fees) by any such Indians, tribe, council, band, or group is neither granted nor denied within ninety days following the making of such application, such approval shall be deemed to have been granted.

"TITLE VII—MATERIALS RELATING TO CONSTITUTIONAL RIGHTS OF INDIANS

"SECRETARY OF INTERIOR TO PREPARE

"SEC. 701. (a) In order that the constitutional rights of Indians might be fully protected, the Secretary of the Interior is authorized and directed to—

"(1) have the document entitled 'Indian Affairs, Laws and Treaties' (Senate Document Numbered 319, volumes 1 and 2, Fifty-eighth Congress) revised and extended to include all treaties, laws, Executive orders, and regulations relating to Indian affairs in force on September 1, 1967, and to have such revised document printed at the Government Printing Office;

"(2) have revised and republished the treatise entitled 'Federal Indian Law'; and

"(3) have prepared, to the extent determined by the Secretary of the Interior to be feasible, an accurate compilation of the official opinions, published and unpublished, of the Solicitor of the Department of the Interior relating to Indian affairs rendered by the Solicitor prior to September 1, 1967, and to have such compilation printed as a Government publication at the Government Printing Office.

"(b) With respect to the document entitled 'Indian Affairs, Laws and Treaties' as revised and extended in accordance with paragraph (1) of subsection (a), and the compilation prepared in accordance with paragraph (3) of such subsection, the Secretary of the Interior shall take such action as may be necessary to keep such document and compilation current on an annual basis.

"(d) There is authorized to be appropriated for carrying out the provisions of this title, with respect to the preparation but not including printing, such sum as may be necessary."

Amend the title so as to read: "An Act to prescribe penalties for certain acts of violence or intimidation; to protect the constitutional rights of Indians; and for other purposes."

POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967—AMENDMENTS

AMENDMENTS NOS. 431 AND 432

Mr. WILLIAMS of Delaware submitted two amendments, intended to be proposed by him, to the bill (H.R. 7977) to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements, and for other purposes, which were referred to the Committee on Post Office and Civil Service and ordered to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. PERCY. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from California [Mr. MURPHY] be added as cosponsor of the bill (S. 2601) to increase employment opportunities for individuals whose lack of skills and education acts as a barrier to their employment at or above the Federal minimum wage, and for other purposes.

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

Mr. BROOKE. Mr. President, I ask unanimous consent that, at its next printing, the name of the senior Senator from New Hampshire [Mr. COTTON] be added as a cosponsor of the bill (S. 2539) to provide for an equitable sharing of the U.S. market by electronic articles of domestic and of foreign origin.

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

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Connecticut [Mr. RIBICOFF] I ask unanimous consent that, at its next printing, the name of the Senator from Connecticut [Mr. DODD] be added as a cosponsor of the bill (S. 2552) to provide for orderly trade in antifriction ball and roller bearings and parts thereof.

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

VIETNAM: HOW NOT TO UTILIZE AIRPOWER—VI

Mr. SYMINGTON. Mr. President, further with respect to restrictions placed on the utilization of airpower in Vietnam, I ask unanimous consent that additional testimony, under the heading "Impact of Restrictions on Pilots," by Maj. Gen. Gilbert L. Meyers, under questioning by counsel of the Senate Preparedness Investigating Subcommittee last August be inserted at this point in the RECORD.

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

IMPACT OF RESTRICTIONS ON PILOTS

(Excerpt from testimony by Maj. Gen. Gilbert L. Meyers before Senate Preparedness Investigating Subcommittee, August 29, 1967)

Mr. KENDALL. What impact, if any, did these restrictions, both as to your armed recce program and your fixed target strikes, have upon pilot morale?

General MEYERS. Well, of course, pilots are human beings like everybody else. They recognized the limited value of these targets, and many times questioned me as to why were we hitting targets of this type—targets that did not seem to have a great deal of military significance. Of course, my answer was that these are the targets that we have been directed to attack, and these were the targets that we are going to attack. The pilots accepted this statement even though their lives were at stake on each mission flown.

You must bear in mind that they are professional people and that they did a very fine job even though the targets were not adequate in their judgment. Actually there was not too much grousing about these targets. However, they could not help but question them at times, but when they were told, "This is your job, you will do it", as professional airmen, they went out and gave it their best effort.

THE GROWING FISCAL AND MONETARY PROBLEMS

Mr. SYMINGTON. Mr. President, an editorial in the Wall Street Journal of November 1 refers to a recent Tax Foundation pamphlet and states:

In the past seven years 78 new programs have been initiated, and 16 others were proposed in the budget message for fiscal 1968 submitted to the Congress in January 1967.

All of us know that at least some of these new programs are essential to the security, growth, and well-being of the country; but I do believe that when, as this editorial states, the cumulative cost of these new programs total over $84 billion by the end of the current fiscal year, this constitutes but another reason for recognizing the growing danger incident to the cost of the Vietnam war.

I have presented to the Senate before and now do so again, that no economy, not even that of the United States, can continue to defend and finance, often almost by itself, the percentage of the so-called free world that is being defended and financed by the United States.

I ask unanimous consent that the editorial entitled, "Prescription for Paralysis," be printed at this point in the RECORD.

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

PRESCRIPTION FOR PARALYSIS

Although everyone realizes that the activities of the Federal Government are mushrooming, relatively little attention is paid to the nature and meaning of the growth—partly because it's all so fast and helter-skelter that it inhibits analysis.

Now the Tax Foundation has taken a crack at penetrating the maze. In a useful little pamphlet called "Growth Trends of New Federal Programs: 1955–1968," it comes up with findings that ought to interest and alarm the citizenry.

First, for an idea of the scope of the activity: "In the past seven years 78 new programs have been initiated, and 16 others were proposed in the budget message for fiscal 1968 submitted to the Congress in January 1967. The large majority have been put into operation in the period beginning in fiscal year 1965." That doesn't count the numerous and substantial expansions of earlier programs.

"In the corresponding period of the 1950s," the study continues, "only about one-third as many new Federal activities were initiated."

What are some of these burgeoning undertakings? In addition to the big, fresh forays into health, education and welfare, they pretty much cover the waterfront. Everything from the Asian Development Bank to the Packers and Stockyards Act, from Great Plains conservation to supersonic-transport development, from rural renewal to the Chamizal Memorial Highway. You name it.

Obviously certain ones are vastly more

expensive than others, but none, from the viewpoint of the ordinary taxpayer, is exactly cheap. The Tax Foundation estimates the fiscal 1968 cost of just those new programs enacted in the past seven years at $9 billion. If we take the full 13-year span surveyed in the report, the cumulative cost of 112 new programs will total $84.8 billion by the end of the current 1968 fiscal year.

The enterprises almost unfailingly cost more as time goes by; initial figures are usually no guide at all to future outlays. For example, the Food for Freedom program, started in fiscal 1956 at about $121 million, is budgeted at $1.8 billion in fiscal 1968. And the National Aeronautics and Space Administration spent $89 million in its first year, 1958; it will spend some $5 billion this year.

The Foundation study even discerns a general pattern characterizing the growth of new programs: "Sharp increases in the first two years as the programs get into fuller operation, relatively modest increases in the third and fourth years, followed by a steep jump of the sort depicting major expansion or legislative extension of the program."

Small wonder the Tax Foundation observes that the "expenditure history of the new Federal programs set up in the period of this study supports the familiar thesis that new Federal Government activities, once under way, traditionally increase in scope and cost. Few are ever reduced in cost, and even fewer disappear."

Small wonder, too, that administrative chaos prevails. The projects are casually tossed on top of older ones, with scarcely any effort to examine the relationships among them or the effectiveness of any of them. Duplication, waste, gross inefficiency and mismanagement are inevitable—so much so that a number of liberals, heretofore devout believers in Federal omniscience, are decrying the trend.

Many comments could, indeed, be made about this scandalous condition. It is, for one, a fraud on the public, to which the Administration adds the insult of demanding higher taxes without evidencing any intention of cleaning up the disorder which it perpetuates and intensifies.

But for the moment we will merely remark that the Government is bogging down. The people are not getting good Government; they are getting a Government that threatens to paralyze them in the grip of its own indiscriminate growth.

MILITARY JUSTICE ACT OF 1967

Mr. ERVIN. Mr. President, a few months ago I introduced, for myself and Senators BAYH, BIBLE, FONG, LONG of Missouri, WILLIAMS of New Jersey, and YARBOROUGH, S. 2009, the proposed Military Justice Act of 1967. This omnibus measure would accomplish important and long-needed reforms in the system of justice administered by the Armed Forces. These reforms are the product of many years' study and thought by the Constitutional Rights Subcommittee. They have been analyzed and commented upon by military lawyers, representatives of each of the services, veterans groups, judges, and private organizations. They have the support of most, if not all, of those who have considered them. I am confident that they have the support of the over 3 million men and women in uniform and their families throughout the Nation.

Unfortunately, the general public is largely unaware of the court-martial system and the administrative discharge system which supplements it. Only when relatives or friends become involved with military law do citizens realize the pressing need to insure due process protection for the men who give their lives in defense of our freedom.

The importance of subjecting military law to public scrutiny cannot be overstated. Recent public debate over important developments, judicial and legislative, in the administration of civilian criminal justice has produced controversy and significant changes in the law. But this public concern has not touched the military system. Where once it was truly a model for the civilian law, now it has been left behind in many respects. Much must be done by the Congress and the military itself to restore military justice to the honored place it once held.

The absence of public awareness of these problems has been rectified in great measure by a series of outstanding articles by Jack Landau, of the Washington bureau of the Newhouse National News Service. Mr. Landau spent 2 months talking to military lawyers and judges, to legal officers from the trial and defense counsel, to the judge advocates general, to prisoners, military police, and to many others involved in military justice. His seven-part series is a fair and trenchant critique of the existing system and what is needed to imbue it with the fundamental due process protections we as Americans hold so basic. I commend the reading of these articles to every Member of Congress and to the public.

I ask unanimous consent that these articles be included in the RECORD at this point.

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

[From the Syracuse (N.Y.) Herald-American, Sept. 10, 1967]

GI JUSTICE: A SECOND-CLASS SYSTEM

(The first of a seven-part series by Jack C. Landau)

WASHINGTON.—Today, a generation after the kangaroo court martial scandals of World War II—the Defense Department is still running a system of second-class justice for America's 3.3 million fighting men.

Despite substantial improvements in the last two decades, including major congressional reform in 1950, the American military justice system continues to offer few of the constitutional "due process" protections considered fundamental to the American concept of civilian justice.

It remains, for the most part, a convenient and arbitrary system of martial discipline—not impartial justice—operated behind closed doors by line commanders and their junior officers.

STRONG ARGUMENT

There is a strong argument that civilian theories of "equal justice under law" have no logical place in a military organization dedicated to arbitrary command power and unquestioning obedience.

But this is not the system which Congress has ordered or which the American public expects for the young Vietnam draftee.

Perhaps military justice might be forgiven for its inadequacies if it were a small system with relatively ineffectual penalties.

But it is large: Last year there were 97,000 cases involving about one out of every 33 men in the service.

It is iron-fisted: 63,000 criminal convictions last year which resulted in prison sentences, fines, or the indelible brands of a "dishonorable" or "bad conduct" discharge; and an additional 30,000 "less than honorable discharges," life-long marks of disgrace in the civilian world.

A 2-MONTH SURVEY

These are the conclusions drawn after an extensive two-month survey of the military justice system as it operates today. Installations observed included the Army's Fort Campbell, Ky., and Fort DeRussy, Hawaii; the Naval Station at Norfolk, Va.; the Marine combat training base at Camp Lejeune, N.C., and the Military District of Washington.

The survey also included attendance at various types of courts martial and interviews with military defendants and prisoners in stockades, with military lawyers, judges, jurors and top legal officers, with former military lawyers who specialize in military cases and with military police and investigators.

The structure of military justice today stems from the Uniform Code of Military Justice passed by Congress in 1950 in response to the publicly reported court martial injustices of World War II.

COVERS FIVE SERVICES

It covers all five services: The Army, the Navy, the Marines, the Air Force and the Coast Guard.

Based on the law, military regulations and tradition, military justice is administered by:

Summary courts martial, in which a jury of one officer tries an enlisted man for petty offenses. Maximum penalty: A federal criminal court conviction, 30 days in prison and a reduction in pay.

Special courts martial in which a jury of three officers tries an enlisted man (rarely an officer) for minor offenses. Maximum penalty: A federal criminal court conviction, six months in prison, reduction in pay and a "bad conduct" discharge—similar in most respects to a "dishonorable" discharge.

General courts martial in which a jury of five officers tries officers and enlisted men for serious offenses. Maximum penalty: A federal criminal court conviction, a "dishonorable" discharge and life in prison or death (there have been no military executions since 1961).

BOARD OF THREE OFFICERS

Less than honorable administrative discharge hearings in which a board of three officers gives an officer or an enlisted man a "general" or "undesirable" discharge.

The U.S. Court of Military Appeals, composed of three judges with 15-year terms who are by law permitted to review only one per cent of all cases.

The public image of military justice—via Hollywood and television—is the stern fairness of the fictional "Caine Mutiny" court martial or the recent trial last June of Army Capt. Howard B. Levy who opposed the war in Vietnam:

An impartial jury, an intelligent judge, a battery of defense and prosecution lawyers, a series of witnesses for both sides, rows of newsmen and spectators and a diligent court reporter taking down every word for a higher court appeal record.

This image is far from reality.

RARELY USED PROTECTIONS

The broad legal protections offered by the "Caine Mutiny" or Capt. Levy proceedings—known as a general court martial—are reserved for serious cases and are rarely used (only 2,092 times last year out of 67,000 courts martial and an additional 30,000 "less than honorable" discharge hearings.)

In 90 per cent of all criminal and discharge cases, the young serviceman has no lawyer, no legally qualified judge, no transcript of his trial and no meaningful court appeal.

In 40 per cent of all criminal cases, he is judged, defended, prosecuted, convicted and sentenced by a single officer appointed by his commander.

In 100 per cent of all discharge cases, he

has no right to examine the evidence against him, no right to confront his accusers, to subpoena witnesses on his own behalf or to have a record of his hearing.

SMALL, BUT FEDERAL CASE

Under these circumstances, the young serviceman—frequently away from his home and family for the first time—sees a simple drunken driving or disorderly conduct charge converted into a formal "federal court conviction" or "less than honorable" discharge.

These federal criminal convictions and discharges stigmatize a man for the rest of his life. They bar him from many jobs, corrode his self-respect and—as military appeals Judge Homer Ferguson has said—close "almost every door to his future."

One reason why military justice is able to operate relatively free from public criticism is that less than 3 per cent of its cases are matters of public record. Most of the files stay locked in the Pentagon or in the offices of local commanders.

But the major reason is the character of the accused, who has few resources with which to defend himself.

YOUNG, LONELY AND POOR

The average enlisted man prosecuted by the military justice system is young (from 17, where most states treat him as a juvenile, to 23); unworldly (barely a high school education); inexperienced (no prior criminal record or previous contact with police and courts); isolated (away from his family and friends); and poor (a private's pay is $90 a month).

There is another side to the picture:

Military defendants are entitled to know most of the evidence against them prior to trial. Sentences in general are much lower than in civilian courts. Commanding officers and administrative action can soften harsh sentences.

The military supplied free lawyers to some suspects well before the U.S. Supreme Court ordered free lawyers in civilian courts, and a military defendant faces no delay in obtaining a trial while his civilian counterpart may easily wait six months.

The military justice system is frequently manned by intelligent and dedicated lawyers and officers who try to do their best with a bad system.

SERVICEMAN PAYS DEARLY

But for these few advantages, the serviceman pay dearly compared to the system which the military claims it operates and compares to the protections he would enjoy as a civilian.

As hundreds of reported and unreported cases show, military justice is exemplified by:

Injustice: A Marine is discharged without trial on a homosexuality charge. Later, the two accusers admit they made a false identification.

Air Force investigators lock a suspect's family in their room for 13 hours while searching for a smuggling clue.

An Army officer is falsely convicted of extortion and sentenced to 18 months in prison and a bad conduct discharge, because he complained about the base food to his congressman.

FALSELY CONVICTED

A sailor is falsely convicted of escaping confinement when the evidence shows he was fleeing from the brutality of a guard. He is sentenced to four months in prison and a bad conduct discharge.

Inequity: The army supplies a lawyer in all courts martial discharge cases. The Navy does not. Officers are frequently permitted to resign while enlisted men are prosecuted for the identical crime. All flag officers can appeal their courts martial to the Military Court of Appeals, but not all enlisted men have this right.

Military boards of review reverse only 4 per cent of military convictions. Federal courts reverse 16 per cent of federal civilian convictions. The U.S. Court of Military Appeals reverses 50 per cent of the court martial convictions it hears.

The chief Army judiciary officer keeps no records of scheduled courts martial, which have the power to impose the death penalty, and when asked why not, answered "Why should I care?"

Apathy: Most career military lawyers (as opposed to young non-career lawyers) are satisfied with the system the way it is.

A recent meeting of the Judge Advocates Association (a career military-legal group) spent less than one minute discussing a bill pending in Congress seeking to overhaul the whole military justice system. Members spent 20 minutes asking for higher salaries.

Lack of manpower: most military lawyers reported they have too much work and not enough time to prepare their cases. The military has about 3,000 lawyers for 3.3 million servicemen, an average of one for every 1,000 men. In Vietnam the military provides less than one lawyer for 2,000 men. The Norfolk Navy base has one lawyer for every 4,000 men. The civilian population—including women, children and the elderly—averages one lawyer for 637 persons.

Lack of funds: The military justice system spent an estimated $30 million last year out of a total military appropriation of $68.4 billion. This is less than one-half of one per cent of the total military budget, or an average of $10 per man per year. By contrast, the Vietnam combat expenditure of $25 billion this year for about 500,000 men averages out to $50,000 per year per man.

The overall conclusion is that the Defense Department—which can obtain top-flight brain power and billions of dollars for the best of everything—is content to run a second class system of justice.

And the human question, as one career Marine lawyer asked:

"Is this really the type of justice a man deserves who volunteers to die in the jungles of Vietnam?"

[From the Syracuse (N.Y.) Herald-Journal, Sept. 11, 1967]

YOUTH'S FIRST LAW CONTACT CAN BECOME LEGALLY FATAL

(Second of a series by Jack C. Landau)

WASHINGTON.—In military life as in civilian life, a young man's first contact with the law may come through a police investigation.

And this first contact can be legally fatal.

If military investigators persuade a young serviceman to confess, then—for all practical purposes—his case is ended.

He receives the life-long scar of a federal court conviction or less than honorable discharge in the police interrogation room, without ever having reached a courtroom.

He may really be innocent or there may be strongly mitigating factors on his behalf.

But the best lawyer, the fairest judge and the most intelligent jury can do little to help a young man who has signed a confession of guilt.

The part played by the military investigator is important because in the Army 70 per cent of all courts martial supsects plead guilty, most of them based on confessions.

And even if a bright lawyer could prove a confession illegal, lawyers were only provided for suspects in 10 per cent of the 97,000 court martials and less than honorable discharge cases last year.

How do military investigators obtain confessions?

Take the recent case of Marine Sgt. Thomas C. O'Such Jr., convicted of murdering a Marine sergeant in Koza City, Okinawa, and sentenced to life in prison.

What is of interest in the O'Such case is not the uncontroverted fact that Naval Investigation Service officers obtained a "voluntary confession" by stripping the sergeant of his clothes, locking him in an unlighted "black box" solitary confinement cell for two days, forcing him to stand at attention for 16 hours a day, flashing a spotlight in his eyes every five minutes while he slept, and threatening to arrest his family on phony charges.

Of more importance to the military justice system is that the Navy approved of these investigation methods and fought to affirm O'Such's murder conviction.

A board of review appointed by the Navy Judge Advocate General upheld the conviction.

Last March, the U.S. Court of Military Appeals reversed the case. It said that the treatment accorded to Sgt. O'Such, "an unsentenced and presumably innocent man," amounted to "oppression and punishment."

"We have not seen in recent times," noted Judge Homer Ferguson, "as bold an invasion of the rights of an accused person as is depicted upon this record."

Military lawyers agree that this type of physical oppression is rare today, but psychological coercion appears to be common.

For example, all arrested servicemen are now entitled to free lawyers during a military interrogation if they request one. The Court of Military Appeals set the requirement in April.

Item: "We know how to avoid giving a man a lawyer, although I don't want to be quoted," confided an Army sergeant in Washington.

"We just tell him: 'Look, you can confess now or we'll get you a lawyer if you want one. But that might take three or four days and you'll have to stay here (in prison) until then.' Well, of course, they want to get out of here, so they talk."

Item: "I told him (a suspect) he could have a free military lawyer. But I also told him that he might have to wait a few days because they're shorthanded down there (at the Staff Judge Advocate's office)," a lieutenant at Fort Campbell, Ky., said quite openly.

The Staff Judge Advocate at Fort Campbell, Col. Victor A. Defiori, said: "I have a man on duty all the time to represent men who are being questioned. I don't think I've had five calls all year."

The suspect, by the way, did confess and pleaded guilty to larceny.

Item: During a court martial at Fort Campbell in July, this exchange took place between a Criminal Investigation Division agent and Lt Col. Warren Horton, the judge.

Question (by Col. Horton): "Had the accused made a demand for counsel (during the police questioning)?"

Answer: "Yes sir, he said he wanted counsel."

Question: "Why did you not give him counsel?"

Answer: "We notified his organization."

Question: "Why did you not notify the Staff Judge Advocate?"

Answer: "It was just an oversight."

The official reports of the Court of Military Appeals are replete with just such "oversights." Documents show how military investigators lied to the mother of a suspect and told her he could not have a lawyer. They questioned a suspect for hours in an off-base motel. They locked the family of a suspect in their rooms for 13 hours while they searched his off-base home. They conducted searches without proper authority or without "probable cause."

"I win more cases on the mistakes of the CID than for any other reason," said an Army appelate lawyer. His three associates, who participated in the interview, agreed.

Some of these "mistakes" may be due to honest "oversight," and probably the great majority of military investigations are conducted properly.

But take this case which occurred in Norfolk, Va., last July:

A Navy captain asked the Naval Investigation Service to conduct a thorough investigation of a rumor that two sailors aboard the captain's ship had engaged in homosexual conduct.

The Naval Investigation Service inquiry confirmed the rumor with three eyewitness reports. The two sailors were brought up for undesirable discharge proceedings.

When the three eyewitnesses were cross-examined during the discharge proceedings, they said that one of the suspects was very drunk and that he had inadvertently stumbled into the other suspect's bed as he climbed up to his own bed several tiers off the deck.

That was the whole basis for the rumor, the investigation and the charge. The two sailors were acquitted.

The young naval lawyer who defended them said it was "difficult to believe" that the Naval Investigation Service had "honestly overlooked" the fact that the suspect (and the witnesses) were very drunk.

(This incident was reported by the lawyer. Administrative discharge proceedings are not open to public inspection.)

Military lawyers offer several reasons for the frequent illegal and deceptive practices of military investigators. The first and most obvious is that military investigators believe their primary object is to get their man by whatever means possible.

This attitude is compounded by the type of official support they received in the O'Such case, coupled with the lack of any punitive action for investigative misconduct.

The U.S. Court of Military Appeals reversed a total of 51 cases last year, 40 per cent of them because of illegal investigations. The court's opinions do not show a single case of a military investigator being court martialed for mistreatment of a suspect.

The character of the suspect also helps. The civilian police frequently deal with hardened criminals who know their rights or with local young men who can rely on their families for support and legal advice.

But the average enlisted man is ignorant of his legal rights, isolated from his family and friends and—in general—sincerely believes that the military will "give me a fair shake."

Navy investigators in Norfolk report that 90 per cent of their suspects confess.

Another reason for improper investigation methods may be the heavy caseload schedules which do not permit an investigator to devote enough time to a single case.

In Norfolk, 70 investigators conduct 1,400 investigations a month, an average of one a day per man for a 20-day working month. In Camp LeJeune, investigators check out 1,600 complaints a month, an average of seven a day for each member of the 11-man staff.

Military investigators and top-brass military lawyers argue that the few cases of misconduct which reach the Military Court of Appeals are "exceptions."

They rate the military investigation services on a par with small city police detective bureaus. One naval investigator rated his men as equal to the FBI.

But they do admit that higher quality investigations could be conducted if training facilities could be improved and if pay scales were increased (pay starts at $7,068 for the civilian police investigators in the Navy, $1,000 less than the FBI).

It is important to make a distinction between military investigators, such as the army's Criminal Investigation Division and the navy's Office of Naval Investigations, and the military police and shore patrol.

The shore patrol and military police are generally sympathetic and try to stop a drunken young serviceman on leave from getting into trouble.

Perhaps their philosophy was best expressed by Gen. William C. Westmoreland who, as a former commander at Fort Campbell, reportedly complained:

"I can't train killers six days a week and expect them to act like Sunday school boys on the seventh."

[From the Syracuse (N.Y.) Herald-Journal, Sept. 12, 1967]

GENERAL COURT-MARTIAL GIVES GI COMPLETE "DUE PROCESS OF LAW"

(Third of a Series by Jack C. Landau)

WASHINGTON.—Despite the many anachronisms and inequities in the military justice system, there is one place where the accused serviceman obtains complete "due process of law."

It is the General Court Martial, the institutional super-star of the military justice system.

Here, he enjoys the same basic constitutional protections he would have in civilian life:

A jury of at least five men, a legally trained judge, lawyers as prosecutor and defense counsel, full common law rules of criminal evidence, a verbatim transcript and complete appellate court review.

In fact and in fiction, the General Court Martial is the classic American military tribunal.

It tried the Lincoln assassination conspirators, Gen. Billy Mitchell, the Nazi saboteurs who slipped onto Long Island during World War II and, last June, Capt. Howard B. Levy who opposed the Vietnam war.

Most Americans believe that the General Court Martial is the usual method of dispensing military justice. It is not.

In 1966, the Army, Navy, Marine Corps, Air Force and Coast Guard handed out 63,000 federal court convictions in 67,000 courts martial cases and dispensed an additional 30,000 "less than honorable" discharges.

Only 2,092 of these cases had the broad protections of the General Court Martial.

From interviews with military lawyers, attendance at courts martial and trial transcripts, it is clear that the average General Court Martial is substantially fairer in most respects than the average state or local criminal court trial.

Take the General Court Martial of Pfc. Charles E. Ward at Fort Campbell, Ky., last July 8.

Ward was tried on charges of striking a stockade officer because he was not permitted to wear his sun glasses. The glasses aided his eyes, hurt in a Viet Cong mine blast.

The trial was held in a shabby green room; with white tieback curtains, a rattling air conditioner, and a large wall poster of a gold and white eagle on a black field—the famed insignia of the 101st Airborne Division.

The jurors were seven college-educated officers led by a lieutenant colonel who served as the president or jury foreman. They sat at a long table.

While an accused serviceman may request at least one enlisted man on the jury, this request is rarely made. Enlisted men tend to be tougher on enlisted defendants than do officers.

To the right sat the prosecutor, Capt. William B. Smith of Webster Groves, Mo., whose job was to prove that Pfc. Ward struck the stockade sergeant without provocation.

To the left sat the defense counsel, Capt. Stanley I. Greenberg of St. Louis, Mo., who, like the prosecutor, was a recent law school graduate. Next to him sat the defendant. Capt. Greenberg's task was to try to prove the blow was struck in self defense.

A newspaper reporter and an Army public information officer were the only spectators. The presence of outsiders at courts martial is so rare that the jury was extremely curious about their identity.

At the right front of the courtroom sat the court reporter, taking down verbatim notes for use in any appeal, and near him the "law officer" or judge.

This officer, the key to fairness and high quality of any General Courts Martial, was Lt. Col. Warren Horton, a career military lawyer directly under the Judge Advocate of the Army.

Col. Horton was neither appointed by the base commander nor served under him—as did every other participant in the court martial: the jury, the defense, the prosecution, the court reporter, the marshal, the defendant, the complaining sergeant and all the defense and prosecution witnesses.

Pfc. Ward's case was tried vigorously by both sides.

The prosecution presented three witnesses to the stockade scuffle, including the injured sergeant who said that Ward "hit me in the mouth."

The defense, trying to show that Ward was provoked, offered six witnesses. Some of them testified that the stockade sergeant was seen "under the influence of alcohol" while on duty, that he broke regulations by getting "seven or eight" free haircuts from inmates, that he had a reputation for being "short-tempered" and for "pushing around" prisoners.

The entire trial, despite its drab surroundings, was run by Col. Horton with the same decorum and intelligence as a U.S. district court trial and with considerably more patience.

"The most difficult thing," the colonel explained later, "is not ruling on the law. It is helping these young lawyers to properly present their evidence and not prejudice the trial."

All during the trial, Col. Horton gently aided the two young counselors.

When one witness started to mention facts which should have been excluded, Col. Horton suggested that the examination proceed by "question and answer" rather than by rambling recitation.

When the defense and prosecution failed to present written jury instructions, the colonel mentioned that "I have drawn up some instructions—which are what you may be thinking of."

After all the evidence had been presented, the jury withdrew to make its findings.

The jury stayed out about an hour and, rejecting the self-defense argument convicted Ward. Court Martial juries vote by secret written ballot and must have a two-thirds vote of agreement.

After the conviction, the second act of the court martial began. This was a more informal trial to determine the sentence the jury will impose.

The prosecutor said that Ward had five previous minor court martial convictions for fighting and AWOL. He said the sentence should be "an example" to others.

The defense, in asking for a light sentence, pointed out that the private had won the Purple Heart in Vietnam.

Ward was permitted to offer an unsworn statement in his own behalf, not subject to cross-examination. He explained that "my father died when I was two and I'm helping to support my mother."

The jury brought in a verdict of one year in prison and a bad conduct discharge. This vote was also by a two-thirds majority.

In capital cases, the jury vote must be unanimous. The last military execution was in 1961.

Ward's sentence was slightly tougher than the average Army sentence for aggravated assault, which is 10.5 months.

Ward could seek review of his case by his commanding general, by the Judge Advocate General of the Army, and Army Board of Review and the Military Court of Appeals.

His chances of a reversal are slim, about 5 per cent. But his chances of having his sentence lowered are better than 50 per cent.

Col. Horton's high level of competence and fairness is considered standard. But while

competence is important, most military lawyers agree that the crucial factor is independence from the local commander. Riding his three-state circuit hearing cases, Col. Horton cannot be called to task by any local base commander, only by the Army's Judge Advocate General.

Sen. Sam Ervin, chairman of the Senate Subcommittee on Constitutional Rights, wants to improve the courts martial system by strengthening the powers of this quasi-independent judiciary.

His bill would let judges, like Col. Horton, try cases without juries. This currently is prohibited under the Uniform Code of Military Justice.

The Ervin bill, now pending in the Senate, would also establish a "Judge" Corps for the entire military. Now, only the Army and Navy have these programs. The Air Force does not.

Referring to this independent judgeship program, military appeals Judge Homer Ferguson said:

"No other single factor has served to reduce trial errors and improve courts martial than this simple but effective plan."

[From the Syracuse (N.Y.) Herald-Journal, Sept. 13, 1967]

SPECIAL COURT-MARTIAL IS A LEGAL FARCE: 39,000 CASES TRIED LAST YEAR

(Fourth of a series, by Jack C. Landau)

WASHINGTON.—Down in the humid green valleys along the Tennessee-Kentucky border, there is a 100,000-acre Army combat training base. Fort Campbell's activity is to make boys into men.

As at every American military base, a small but important part of Fort Campbell's activity is to dispense military justice to its 40,000 Army personnel and their dependents.

A fairly typical case recently involved a tall, sad-faced, 21-year-old basic trainee, Pfc. Robert M. Krazezkiewicz of Beckley, W. Va. Last July, the slender blue-eyed private was brought up on charges of stealing from the locker of his best friend.

Krazezkiewicz's commanding officer chose to have him tried by a Special Court Martial, a forum which normally handles minor offenses.

It can deal out a maximum penalty of six months in prison, a reduction in pay and a bad Conduct Discharge, which is similar in many respects to the Dishonorable discharge.

The Special Court Martial is the most frequently used of the three types of courts martial. Last year, the military conducted 67,000 courts martial, of which 39,000 were special courts.

The key features of the Special Court Martial are a non-lawyer judge, non-lawyer defense officer, a non-lawyer prosecutor and no right of appeal unless there is a discharge.

The only evidence against Krazezkiewicz was his written confession which he gave to the company lieutenant. Based on this confession he was sentenced to six months in prison and fined $30 a month from his $100-a-month salary.

After the trial, Krazezkiewicz said in an interview that he "was not told" of his right to have a lawyer during the confession questioning.

His non-lawyer defense officer said, "I didn't know" that the soldier had to be warned of his right to counsel.

The non-lawyer prosecutor said he was "not aware" of any problems concerning the confession.

The non-lawyer judge of the Special Court Martial accepted the confession without inquiring into the circumstances under which it was given.

Under the circumstances, it is not clear whether the private was properly convicted.

What is clear to any experienced court observer is that the Special Court Martial was a legal charade because no one knew the law.

The requirement of a lawyer during a criminal interrogation was imposed only last April. But none of the court martial participants had even heard of the court decision.

Another example of the Special Court Martial occurred a week later at Camp LeJeune, N.C., at the trial of a husky, 22-year-old Vietnam Marine veteran, Pfc. George Dowell Jr., of St. Louis.

Witnesses said that Dowell had returned to the base drunk and was called, "Hey, Nigger boy," by a group of white Marines.

When the officer-of-the-day arrived on the scene, Dowell shouted, "I don't give a (obscenity) who you are." He was brought up on charges of showing disrespect to an officer.

Here are some aspects of Dowell's Special Court Martial which was conducted in the damp 100-degree heat of a small, neat courtroom at the 2nd Marine Division headquarters:

The three-man jury was headed by a non-lawyer major who was also the judge. This meant that the judge ruled on the admission and exclusion of evidence and then voted on his own rulings when he later acted as the juror.

The defense and prosecution lawyers were young law school graduates. Only 10 per cent of the Marine Special Courts Martial offer defense lawyers. The rest—like the Krazezkiewicz trial—offer non-lawyer officers.

At least one hour of the court martial was taken up with complex arguments over technicalities of the hearsay rule against second-hand evidence.

They included arguments over exceptions for "prior inconsistent statements," for "official documents," for "eyewitnesses," and for "statements not being introduced for their truth or falsity."

After hearing witnesses from both sides, the Special Court Martial convicted Dowell and sentenced him to six months in prison and a Bad Conduct Discharge.

Considering the drunken condition and the racial slur, Dowell may or may not have been guilty of knowingly insulting the officer.

But his trial was a parody: a non-lawyer judge, who was also a juror, struggling to understand the complicated arguments posed by two inexperienced young lawyers who were having their own problems understanding the law.

After the trial, the judge, Maj. George Candea of Collins Point, Queens, conceded: "I do think some of the arguments on the Hearsay Rule went a bit over our heads."

Dowell's reaction was: "I didn't want to testify in my own behalf. It wouldn't have helped me. There's no justice in the military anyway."

As in the case of Pfc. Krazeszkiewicz, the court martial was run properly under the law, and all the court martial participants appeared to be doing their best to conduct a fair proceeding.

But it is unrealistic to expect line officers to know that latest developments in the law or intelligently comprehend theories it takes three years in law school to learn.

Under these circumstances, it is not surprising that the Special Court Martial conviction rate is 95.7 per cent. Only 62 per cent of the Special Court Martial defendants plead guilty. This means that the Army obtains 200 per cent more convictions in "not guilty" plea Special Court Martial cases than the U.S. district courts where 87 per cent of the suspects plead guilty.

The defense officer never called his family in Nashville to substantiate any history of migraine headaches. He never called the family doctor. He called the dispensary, but Ferguson's records were missing. The physician who had treated him there has been released from the Army, and no attempt was made to locate him.

The one thing that Ferguson, Dowell and Krazeszkiewicz have in common today is the life-long brand of a formal federal court conviction on their records. Krazeszkiewicz, a college honors student, had a full tuition scholarship lined up for medical school. But local medical associations are as loathe as bar associations to approve physicians who are convicted federal felons.

Interviews with Navy and Marine personnel incarcerated in stockades on Special Courts Martial convictions showed that none of them realized the seriousness of their cases.

"It is not a federal court conviction," insisted a young Marine from Clifton, N.J., convicted of AWOL. "Military law and civilian law are two different things."

He is wrong. Special courts are established by Acts of Congress under the Uniform Code of Military Justice and are just as much federal court trials as any federal district court trial, where Krazeszkiewicz, Dowell and Ferguson would have been entitled to a jury of 12 men—not appointed by their commander. They also would have had a completely qualified federal judge, a defense lawyer, a lawyer-prosecutor, and a character report made by an experienced probation officer. In addition, they would have had a verbatim transcript of their trials and a right to appeal to a U.S. Court of Appeals and then to the Supreme Court.

If Special Courts Martial are charades, Summary Courts Martial are, as one Army lawyer put it, "an abomination." And they are also federal courts, which issue federal court convictions.

In the summary courts, one officer acts as judge, jury, prosecutor, defense counsel and sentencing authority. This writer was not able to attend any Summary Courts Martial because the Army, Navy, and Marine Corps could not locate any—even though 27,394 were conducted last year and presumably that many are being held this year.

Last year, the Army conducted 14,016 Summary Courts Martial and convicted about 94.2 per cent of the defendants. The Summary Court tries petty offenses, including short AWOLS and disorderly conduct charges. Its maximum sentence is 30 days in confinement.

The Army says it is "very rare" for a Summary Court Martial defendant to be represented by legally trained or non-lawyer counsel. Occasionally, a defendant will hire a private counsel. Review of the Summary Court is limited to the discretion of the commander and Judge Advocate General.

"I would advise my son," said Col. Earl Brown, "take an article 15 (administrative punishment) any time. Never take a Summary Court Martial."

Col. Brown was one of the Army's top lawyer-judges. He left on Aug. 1 to be the assistant dean of the Columbia University law school, having judged the celebrated case of Capt. Howard Brett Levy at Fort Jackson, S.C., last June.

Col. Brown added: "The Summary Court Martial is just indefensible. It's a disgrace to even call it a 'court.' It's a command disciplinary proceeding and should be eliminated."

[From the Syracuse (N.Y.) Herald-Journal, Sept. 14, 1967]

THIRTY THOUSAND GI's "BRANDED" BY LESS-THAN-HONORABLE DISCHARGES

(Fifth of a series by Jack C. Landau)

WASHINGTON.—The No. 1 scandal in military justice today is the "less than honorable" administrative discharge system.

"Merciless character assassination," says the Catholic War Veterans of the United States.

"Frustrating and shocking," says a former military lawyer now specializing in discharge cases.

"Completely unjust," says Sen. Sam Ervin (D-N.C.) who has a bill pending to reform the system.

Last year, the military handed out 30,000 less than honorable discharges—20,000 "general" and 10,000 "undesirable"—on grounds of unsuitability for military service.

An administrative discharge is the military method of eliminating unsuitable personnel without any semblance of constitutional due process and without having to go through the few fundamental protections offered by courts martial.

(Courts martial may impose "bad conduct" or "dishonorable" discharges as part of their sentence.)

Administrative discharges are generally given by a board of three line officers appointed by the local commander. The procedures are so informal as to constitute little more than an exercise in command discipline.

The result is that a young serviceman may receive the life-long brand of an "undesirable" discharge (there are 500,000 of them today) or a "general" discharge with—

No lawyer, no trained judge, no right to examine the evidence against him, no right to confront his accusers, no transcript of the proceedings, no practical appeal to any court and, in the majority of cases, no hearing at all.

Military officials argue that a serviceman has no more right to be employed by the Army or to contest his discharge than he does to be employed by General Motors or to fight a job layoff or firing.

They add that the armed forces must be able to exercise its discretion as to who is suitable and who is not. They say that the military would be paralyzed if it were bound by the same standards of evidence and "due process" in an administrative discharge as it is in a court martial sentence which orders a Bad Conduct or Dishonorable Discharge.

But, Judge Homer Ferguson of the U.S. Court of Military Appeals answers:

"It is undeniable that, so far as society is concerned, the impact of a 'General' or 'Undesirable' discharge is the same as that of a punitive discharge (Bad Conduct or Dishonorable).

"It frequently marks the accused for the balance of his life, denies him job opportunities . . . and bars almost every door to his future."

Take the case of former Marine Sgt. Rufie Sherman Neal, a case which was introduced at Senate hearings last year.

Neal served 17 years in the service and took part in the Iwo Jima landing in World War II and the Inchon battle in Korea. He holds three Presidential Unit Citations and four Good Conduct Medals.

In 1958, he was accused by the Office of Naval Investigations of committing a homosexual act in a Pentagon men's room. He was told that the Navy had two "eyewitnesses."

He was advised that he could request a court martial and risk conviction and imprisonment on a morals charge. Or he could accept an administrative "undesirable" discharge. Sgt. Neal took the discharge.

For eight years, Neal lived a broken and disgraced man. He begged the Marine Corps to reinstate him "not for myself but for my wife and two young boys."

For eight years, the Marine Corps refused to listen.

And then, on Feb. 22, 1966, the U.S. Court of Claims handed down a decision which is still sending shock waves through the Pentagon.

After conducting a hearing with the two "eyewitnesses"—a hearing that Sgt. Neal never had—the court disclosed that the eyewitnesses had never been able to identify Neal. It was a case of mistaken identity.

Or take this case:

Former Marine Sgt. Harold R. Conn, while stationed in Haiti in 1961, was involved in a fatal auto accident. The Marine Corps flew him back to Virginia two days after the accident. A Marine major went to Haiti conducted an investigation by interviewing Haitian civilians.

As a result, Conn appeared before an administrative discharge board and was given an "undesirable" discharge based only on the investigative report.

He had a lawyer but the lawyer was helpless.

There were no witnesses to cross examine because they were in Haiti. The investigation report was not available until the day before the hearing. The major making the investigation was not available.

Last May 12—six years later—the U.S. Court of Claims voided the discharge.

Or this case:

Last May 8, at 7:30 a.m., a senator received an urgent cable via RCA from Thailand.

"I am a combat pilot stationed in . . . Thailand. I am presently facing a board alleging that I am a homosexual. The charges against me . . . are false.

"I have been denied my demand for a trial by court martial and (my demand) for confrontation of my accusers. Request you immediately stop this traversty of justice."

In response to the senator's inquiry, the Air Force answered:

"In Oct. 1966, three Thai nationals alleged they had engaged in homosexual conduct with (Capt. X) requested trial by court martial. Such action was inappropriate. The Thai nationals who made the accusation could not be located. Confronted with this situation, the board admitted the sworn statements of the three accusers."

Homosexuality is one of the most controversial and most used grounds for administrative discharge (16 per cent in the Navy). Other grounds are a "pattern for shirking," "failure to pay debts," "frequent involvement" with civilian police, and

"Other good and sufficient reasons."

The vagueness of these procedural and substantive standards may be the reason that only 20 per cent of the servicemen brought up for administrative discharge ask for a hearing.

The military often uses the administrative discharge as a substitute for disciplinary action or courts martial.

For example, Maj. Gen. Kenneth Hodson, Judge Advocate of the Army, explains that a medical examination might show a serviceman is a narcotics addict. He adds:

"His conduct in the use of drugs might be such that we might not have a triable offense . . . We don't know exactly when he used them, or where he used them, and might not even be able to identify the particular narcotic he used . . . in that case he could end up with an undesirable discharge by administrative board action."

While the military has much discretion in most discharges cases, it is bound by law to give a discharge if the serviceman has a civilian court conviction.

The general counsel of the Catholic War Veterans explains.

"Very frequently, these young men—with no juvenile or adult police record—will commit a minor civilian offense such as joy-riding, public drinking, fighting or other minor disturbance. If the soldier is . . . convicted, he is awarded an undesirable discharge.

"His offense did not deserve a trial by court martial, yet the mandatory issuing of the undesirable discharge based on the light civilian conviction will send the young man back to civilian life as an outcast . . . and render him undesirable for employment."

There is, for most practical purposes, no appeal to any court. There are several boards in the military which hear discharge cases. In recent years, the boards have gone from reversing one out of every 16 discharges to reversing, in 1965, one out of every four (2,339 heard and 543 changed in some way).

Sen. Sam Ervin has proposed legislation which would guarantee some fundamental "due process" protections to servicemen faced with administrative discharge proceedings.

They would be entiled to legally trained counsel. If under 21, their parents would be notified of the charges. There would be a transcript kept of the discharge hearing. The serviceman would be entitled to subpoena his own witnesses. Undesirable discharges could not be based on minor civilian convictions except for sex perversion and narcotics. The U.S. Court of Military Appeals would be able to grant direct review.

Currently, the only legal review is through the U.S. Court of Claims. This was the route chosen by Sgt. Neal who was willing to wait eight years. He expects to get about $6,000 in back pay from the Marine Corps, of which about $4,000 will go to his lawyer.

[From the Syracuse (N.Y.) Herald-Journal, Sept. 15, 1967]

MILITARY LEADERS FIGHT "DISCIPLINE" CHANGE PLAN

(Sixth of a series, by Jack C. Landau)

WASHINGTON.—"Military justice" is—by definition and tradition—a contradiction in terms for the average American serviceman and his commanding officer.

By necessity, any independent proceeding—whether it be a court martial or an administrative discharge hearing—inplies a decrease in the commanding officer's life-and-death power to impose discipline and to control every activity of the men under him.

This conflict—between the requirements of judicial impartiality and the necessities of military discipline—is known as the "command control" or the "command influence" issue.

It is the single most difficult problem facing the entire military justice system today, and it has haunted military lawyers since the establishment of the Colonial Militia and the Constitutional Convention.

Patrick Henry once charged:

"They (military comanders) may inflict the most cruel and ignominious punishment on the militia and they will tell you that it is necessary for their discipline."

Whether or not a commander actually interferes in a court martial or administrative discharge hearing, his presence is always there.

He signed the charges against the accused. He convened the court martial. He appointed his junior officers as jurors, judge, and defense and prosecution lawyers (who only appear in 10 percent of all courts martial anyway). The witnesses generally are men in his command.

Under these circumstances, it is difficult for any military man to believe that his commander does not want a conviction, and commanders generally get what they want (95 percent of all courts martial end in convictions).

Conditions today are a vast improvement over the kangaroo court stories that came out of World War II. But despite efforts to stop command influence over courts martial, the old traditions of iron discipline still remain in the minds of many commanders who—after all—are trained to exercise complete control over their men.

Last June 30, an Army defense lawyer rose in the red velvet and oak-paneled chamber of the U.S. Court of Military Appeals in Washington and said:

"This case represents a perversion of justice in a manner not seen since the end of World War II."

The officer was Col. Daniel T. Ghent, chief of the Army's defense appellate division, and he was levelling a charge of "command influence" against Maj. Gen. T. H. Lipscomb, the commander for Fort Leonard Wood, Mo.

Ghent claimed that Lipscomb had tried to high-pressure courts martial jurors into handing down convictions and tough sentences in more than 70 cases—thus destroy-

ing the impartiality of the jurors who were junior officers of Lipscomb's command.

Based on sworn affidavits, here are some of the actions Lipscomb is supposed to have taken:

Appointed as jurors only senior officers, whose entire futures depended upon Lipscomb's performance ratings. Excluded as jurors all lieutenants who generally leave the Army after three years and whose civilian careers could not be affected by Lipscomb.

Ordered the base legal officer—against his wishes—to lecture courts martial jurors about the importance of military discipline in relation to their courts martial duties.

Threatened to take action against a young defense lawyer who challenged the qualifications of one of Lipscomb's hand-picked court martial presidents.

Ordered the base medical officer—against his advice—to conduct blood test experiments on 10 soldiers. The general was attempting to devise a new way to discover the alcohol content of blood in an effort to prosecute drunken driving cases.

Made certain his court martial officers "got the word" that he wanted tough sentences after complaining about "some of the inappropriate sentences we got in the past."

Encouraged his officers to contest the authority of the courts martial judge who was not under Lipscomb's command but directly under the Judge Advocate of the Army.

Told the base legal officer that "the worst that could happen would be to have the Court of Military Appeals reverse the decision" and give him "hell."

Lipscomb has denied exercising any command influence on courts martial members. The Court of Military Appeals has ordered an investigation.

The Army, which apparently knew of Lipscomb's activities a year ago, a few weeks ago quietly transferred him to Materiel Command in Washington.

Considering the character of military officers, the structure of the military and the comparative ease with which a commanding officer can ruin the career of his junior officers, it is surprising that command influence charges are ever made public.

But there have been other recent cases:

At Fort Devens, Mass., the base legal officer gave a lecture to court martial members about their "duties and responsibilities." The base commander was present during the lecture.

At Fort Polk, La., the commander appointed an officer as the prosecutor in an AWOL case and then appointed him to make an "impartial" review of the conviction.

The Marine Corps ordered a commanding officer to explain why he had suspended the courts martial discharge of a Marine private. The Court of Military Appeals said the order implied that the Marine Corps was displeased with the suspension and had denied the private his right to "impartial" review.

Even without specific pressures, the whole setting of a court martial implies guilt rather than innocence.

Item: At a Special Court Martial at Fort Campbell, Ky., last July, combat training yells of "kill . . . kill" were coming through the open courtroom window as a young man was being tried for larceny.

Item: A Navy lawyer says, "Here's a 17-year-old seaman being tried by order of the captain by men appointed by the captain in the captain's wardroom 1,000 miles from nowhere. What do you expect?"

Furthermore, local commanders have such broad discretion that—except in such obviously serious cases as murder or armed robbery—it is easy to introduce some undisclosed motive for the prosecution.

Item: A private at Fort Campbell was prosecuted for a $65 theft from "my best friend." The money was returned. As the company lieutenant explained later:

"We've been having a lot of thefts lately. This case will be an example."

Item: A Vietnam Purple Heart veteran was prosecuted for scuffling with a guard and was brought up for a General Court Martial (as opposed to the less severe Special or Summary Court Martial).

Later, it is disclosed that he had five previous minor convictions for AWOL and fighting.

Of course, the court martial jurors are not supposed to know that there is any underlying policy for the charges, except what appears on the record. (The five prior convictions and the company thefts were not in the record).

But they do not have to be told there is a command reason.

Sen. Sam Ervin (D-N.C.) has offered several suggestions to combat command influence:

Place all defense lawyers under the Judge Advocate General and not under the local commander; establish single-judge courts run by judges under the Judge Advocate General, and increase the penalty for command influence to automatic dismissal.

The military has opposed the senator's ideas for the most part.

In the last six years, there have been 16 accusations of command influence presented to the Military Court of Appeals. Not one commander has ever been brought to trial.

[From the Syracuse (N.Y.) Herald-Journal, Sept. 16, 1967]

MILITARY JUSTICE SETUP FACING DRASTIC REFORM

(Last of a series, by Jack C. Landau)

WASHINGTON.—The American system of military justice is now living on borrowed time.

The whole structure of courts martial (67,000 cases last year) charges (30,000 cases) is heading for the most drastic reform since the passage of the Uniform Code of Military Justice 17 years ago.

This reform movement seeks to close the gap between the constitutional protections that a serviceman has in civilian life and the absence of fundamental "due process" in the armed forces.

It seems inevitable that—just as happened after World War I and World War II—returning servicemen, their families and the public at large will soon demand a change in a system of "justice" which, in most instances, masks a system of discipline:

A system that handed out 64,000 "federal convictions" last year and 30,000 "less than honorable" discharges to servicemen—90 per cent of them without a lawyer, without a legally-trained judge and without any meaningful right to appeal.

Although the current war in Vietnam shows no immediate prospect of peace, the voices of reform in the military justice system are already being heard throughout the land.

The leading voice is deep southerner, Harvard-educated and comes from a booklined office on Capitol Hill.

It belongs to Sen. Sam Ervin, the unpredictable chairman of the Senate Subcommittee on Constitutional Rights (he led the opposition to the Supreme Court appointment of Thurgood Marshall).

Last June 26, Ervin introduced a 91-page amendment to the Uniform Code of Military Justice. He said:

"Our purpose is to modernize a system of justice untouched for almost two decades . . . more and more private citizens are being called into service in an ugly war.

"We cannot wait, as we did a generation ago, until these men return to civilian life with their stories of injustice . . . We are bound to offer them (now) the best legal system we can devise to protect and judge them while they are in uniform."

In an interview, Ervin added:

"I am convinced that the military would do itself a good turn if it would try to insist on due process. It would promote discipline if every man believed he would get a fair trial."

The second voice of reform is really a chorus—spread from New York to DaNang, from Tokyo to Munich.

It belongs to the hundreds of young military lawyers just out of law school who plan to return to civilian life after serving their time in the service.

Interviews with more than two dozen of these young men revealed unanimous anger at the injustices they believe they see in the courts martial and discharge systems.

Being young, they are idealists and tend to judge the military justice system to be indefensible under the theories they learned from their law professors.

But they work hard, they refuse to be intimidated and, as one young lawyer said: "I fight for my clients . . . What can they do but send me to Vietnam for two years?"

These young lawyers sound very much like their fathers a generation ago who, also as young attorneys, came back from World War II and agitated for reform.

The third voice is new and surprising. It is cautious, erudite and is a member of the career military-legal establishment, never noted for its liberalism or its desire to change the status quo.

It belongs to tall, sparse Maj. Gen. Kenneth Hodson, the new Judge Advocate of the Army.

"Speaking for myself only," the general said in an interview, "I think we could make a lot of changes without seriously undermining Army discipline . . . If Senator Ervin and I could just get together for one afternoon in a smoke-filled room, I'm sure this whole thing could be solved.

"But you must remember," Hodson added, "I am only one man. There are others who have strong views on this subject and some of them like things the way they are."

While Hodson declined to elaborate, the "others" are no secret. They are the line commanders, the admirals and the generals who see constitutional "due process" as an infringement on their ability to impose discipline by getting the results they want from the supposedly "independent" courts martial and administrative discharge proceedings.

They subscribe to the views of Gen. William Tecumseh Sherman, who said in 1879:

"An Army is a collection of men obliged to obey one man. Every change in the rules which impairs the principle weakens the army."

SAYS DICE LOADED

Their public spokesman is Adm. Wilfred Hearn, the Judge Advocate General of the Navy (the most conservative of the five services).

He was, for example, asked if he could suggest any legislation that would help insulate court martial jurors from imagining that their commander wanted a conviction.

With an absolutely straight face Adm. Hearn answered:

"It is sincerely doubted that after 16 years of educating court members and counsel that command influence is evil, that such a situation would ever exist."

The fourth voice of reform is really a trio. It comes from a neo-classic building at the foot of Capitol Hill, the home of the U.S. Court of Military Appeals, the GI's "Supreme Court".

The three voices belong to Chief Judge Robert E. Quinn, a conservative, Judge Paul J. Kilday, a moderate, and Judge Homer Ferguson—the scourge of the military justice system.

Arguing for example, that defense lawyers should not be under the thumb of the very commander who convenes the court martial because the lawyers might hesitate to raise strong defenses. Judge Ferguson said, in his typically acid style:

"The dice are loaded in favor of the sycophant and something should and must be done by Congress."

BILL OF RIGHTS

The Military Court of Appeals position in the military justice reform movement is unique. It is not concentrating on new legislation but rather on broadening protections offered to servicemen through its opinions.

One milestone in this effort came last April when the court ruled—for the first time—that the Bill of Rights, as interpreted by the U.S. Supreme Court, is directly applicable to the armed forces.

What the Military Court of Appeals did was to insist that all servicemen have a right to a lawyer when being questioned about a crime.

While the Navy put forth the traditional argument that the constitution does not cover the military, Judge Ferguson, who wrote the opinion, answered:

"The time is long since past when members of this court will listen to the argument that members of the armed force are . . . deprived of all protections of the Bill of Rights."

BRIGHTEST PROSPECT

This time of constitutional reasoning could quickly lead to such sweeping reforms as requiring a lawyer in all courts martial and removing the defense attorney from the supervision of the officer. This would be one opinion and the job would be done.

Similarly, the underground pressure being increasingly exerted by progressive military career lawyers, such as General Hodson and his young lawyer allies, could produce unexpected reform through the administrative mechanism of Defense Department regulation changes.

Still, the brightest prospect for reform appears to lie with Congress and with the Ervin bill—as it did 17 years ago with the passage of the Uniform Code of Military Justice.

Senator Ervin expects to keep most of the bill intact and to get it through both houses before the end of the current session.

The main aim of the Ervin bill is to establish "fundamental procedural rights" in most parts of the military justice and administrative discharge system.

IMPARTIAL APPEAL

The method used by the senator is to insist that a young serviceman be represented by a lawyer, that his judge be independent of his commanding officer and that all military lawyers being periodically assigned to other duties.

The Ervin bill also would guarantee the serviceman a truly impartial appeal board. Again, the senator's method is to insist that the Board of Review be renamed "Court of Review" and to require a judge to sit for a fixed term—instead of being at the instant recall of the Judge Advocate General when a judge hands down an unsatisfactory opinion.

The eventual goal of the Ervin Bill is, as the senator said, "to finally convert military justice away from a system of discipline" by taking the system out of the hands of commanders as much as possible.

Ervin has a lot of other ideas but he thinks that opposition from the Pentagon and the Senate Armed Forces Committee might kill the whole bill if he went too far.

"It's a compromise" he added nostalgically, "you can't always get the ideal."

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business?

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

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

DISTRICT OF COLUMBIA COUNCIL

The legislative clerk read the following nominations:

John Walter Hechinger, to be Chairman of the District of Columbia Council for the term expiring February 1, 1969; and

Walter E. Fauntroy, to be Vice Chairman of the District of Columbia Council for the term expiring February 1, 1969.

TERMS EXPIRING FEBRUARY 1, 1968

Margaret A. Haywood, to be District of Columbia Council member;

J. C. Turner, to be District of Columbia Council member; and

Joseph P. Yeldell, to be District of Columbia Council member.

TERM EXPIRING FEBRUARY 1, 1969

John A. Nevius, to be District of Columbia Council member.

TERMS EXPIRING FEBRUARY 1, 1970

Stanley J. Anderson, to be District of Columbia Council member;

William S. Thompson, to be District of Columbia Council member; and

Polly Shackleton, to be District of Columbia Council member.

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

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

Mr. MORSE. Mr. President, I have a brief statement to make regarding the nominations.

As a long-time crusader for true, representative local government in the District of Columbia, I am deeply honored by my assignment today in presenting to the Senate the unanimous endorsement of the Senate Committee on the District of Columbia of nine outstanding nominees for the District of Columbia Council. I am hopeful that the Senate will advise and consent to the President's nominations with dispatch.

The distinguished Senator from Nevada [Mr. BIBLE], the chairman of the District of Columbia Committee, asked me to express his regrets that official business in his home State precluded his attendance at this session today, which we hope will be the final, legal step in permitting President Johnson's reorganization plan for the District of Columbia government to come into full operation.

Today, unquestionably, is an eventful one for this Capital City because it marks the final, legal step in inaugurating the first change in the local government here in almost 100 years. Congress adopted the commission form of local government for the District of Columbia back in 1874. Now, 93 years later, the President's reorganization plan is providing at least a step toward true, local representative government.

Earlier this year, when the President first proposed his reorganization plan, I highly commended him on the floor of the Senate. I described it as a giant step toward home rule. As we know, President Johnson has supported home rule for many years. When he was the majority leader of the Senate, he gave help when my measure came before the Senate. It passed the Senate several times, only to fail in the other body. I commend my President for the reorganization he is putting into effect because I think, with experience under it, we are going to find it easier in the next few years to adopt a true home rule bill.

Mr. President, the challenge afforded to these nine outstanding nominees for the District of Columbia Council, chosen to guide the reorganized government of the Nation's Capital City, is a unique and demanding one. Probably the challenge is unequaled in the history of American municipal government. Here we have not only a great metropolis of almost 1 million people but we have a central city of the fastest growing metropolitan area in the United States. Third, this city is one from which the entire Nation and the entire world hears about daily.

We should make it an example of good government and free government by way of self-government on the part of its people.

In my mind, this challenge should be of great interest to students of government. The form of the daily governing procedures of this city will be changed substantially. Obviously, the transition must be smooth and we are confident that it will be. In my recollection, I cannot recall in modern history where the government of a city of this size has changed its basic operational characteristics almost overnight. In the Federal City of Washington, we have a local governing system, provided for in our Federal Constitution. No other city in this country has that distinction.

Mr. President, these nine nominees will bring to their service in the city government a rich variety of background and experience which promises wise and imaginative service to the District of Columbia. At the same time, these nominees share a common history of active involvement in the great problems which today confront the District of Columbia. Their dedication to this city as private citizens is the best possible guarantee of a hard-working, devoted, and responsive council.

President Johnson deserves the commendation of all people interested in progress for the District of Columbia. Together with Commissioner Washington and Assistant to the Commissioner Fletcher, these excellent choices should give the Nation's Capital a modern municipal government of which every American can be proud.

The Committee on the District of Co-

lumbia warmly endorses as a group the President's nominations for the District City Council. Each and every individual of this distinguished group warranted selection on the basis of merit and devotion to the District of Columbia. Their selection was the end product of a careful review of the names and qualifications of hundreds of District residents who had been suggested for the President's consideration. The committee believes that this group, working as a team under Commissioner Washington's leadership, can make the Nation's Capital a showplace of outstanding, dedicated, and responsive municipal government.

Mr. President, each and every Member of this Congress also has a great responsibility to serve his responsible, legislative role along with the officials chosen to guide this reorganized government. The Congress cannot and must not believe that the reorganized government can do the job by itself. Constitutionally, the Congress has "exclusive, legislative authority" over the District of Columbia. This reorganization plan cannot change that. Therefore, those of us here in the Congress with direct responsibilities to the District of Columbia must keep our shoulders to the wheel.

Mr. President, your committee held hearings on these nine nominations, which have been described as the most thorough hearings of any before the Senate District Committee in memory. Subsequent to the hearings, committee members examined further into the matters at hand, and properly so. Because of other senatorial commitments, I regretted my inability to be present at these hearings, but I have kept in close contact with the proceedings and developments, and I approve of the record made in the hearings and the action of the committee.

Unquestionably, the close scrutiny provided by the committee members to the various problems surrounding these nominees will prove highly beneficial in the future not only to the nominating authority but also to Members of the Senate, as the body charged with confirmation, and to members of the City Council and to potential Council members. All of us must assess our proper responsibilities and carry out those responsibilities in this new, local governmental area. It was the desire of this committee that these nominations be reported unanimously, if at all possible. That goal was achieved because these matters of proper interest were examined into intensively.

I wish to pay personal commendation to the distinguished junior Senator from Colorado [Mr. DOMINICK], who performed a real service in his close examination of the questions dealing with dual compensation, conflicts of interest, the Canons of Ethics of the American Bar Association, and other relevant subjects. He was jointed in this by other members of the committee, and I believe the city council and the community, not only presently but in the future, will also benefit greatly from this examination as other nominations may be considered. It may well be that new laws should be considered, as I understand the Department of Justice is now studying, in the areas of the Hatch Act, dual compensation, conflicts of interest dealing with part-time city councilmen, and other germane subjects.

Mr. President, the District of Columbia Committee fully shares the aim of the President that the Nation's Capital should have an exemplary municipal government. May I personally salute Commissioner Washington, Assistant to the Commissioner Fletcher, City Council Chairman Hechinger, and the Vice Chairman, Reverend Fauntroy, and the other seven Council nominees as they approach the gigantic task of fashioning a reorganized government. Your great challenges are matched only by the great opportunities before you.

Mr. President, I urge the Senate to confirm these nominations.

Mr. THURMOND. Mr. President, I desire to made a few observations in connection with the pending nominations. I do not oppose confirmation of any of the nominees to positions on the so-called city council of Washington, D.C. The Senate District Committee has had access to complete information on the backgrounds and qualifications of these nominees, and the members of the committee are presumably satisfied that they will adequately perform the duties and responsibilities of the posts to which they have been named. There may be in the future a question as to possible conflict of interests with some of the nominees. It may be too much to expect that any successful businessman or attorney in the District of Columbia would not have some transaction in which he is interested pending before an agency or an arm of the District Government. Should any of these questions come before the city council, I would expect the individual member involved to disqualify himself from acting in an official capacity on that particular matter.

There is one particular observation I do want to make. It is apparent to me that the reorganization of the District of Columbia, insofar as it proposes to bring about home rule, is fraudulent. No home rule is involved in this method. All that is accomplished is a transfer of powers which formerly resided in Congress to the executive branch of the Government. Perhaps the residents of the District of Columbia who favor home rule honestly feel that they are getting a measure of it in this reorganization plan. In my own view, they have been deceived and it will become more evident to even them as time goes by.

The Constitution gives to the Congress power to exercise "exclusive legislation" over the affairs of the District of Columbia. Since the District of Columbia is the seat of the Government, I think this provision of the Constitution is a wise one. This is just another example of a shift of powers from the legislative branch to the executive branch and the continuation of a trend which I deplore. Congress is guilty of voluntarily delegating much of its authority to the executive branch of the Government, and the executive branch of the Government continually requests the Congress to divest itself of its power and authority in favor of the President.

I cannot hold these particular nominees responsible for this trend or responsible for the District of Columbia reorganization plan, but I wanted to make these observations at this time.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

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

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

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. LONG of Louisiana, from the Committee on Finance:

Stanley D. Metzger of the District of Columbia, to be a member of the U.S. Tariff Commission.

By Mr. HILL, from the Committee on Labor and Public Welfare:

Bruno W. Augenstein, of Virginia, to be a member of the Board of Regents, National Library of Medicine, Public Health Service.

Mr. HILL. Mr. President, from the Committee on Labor and Public Welfare, I also report favorably sundry nominations in the Public Health Service. Since these names have previously appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

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

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

Lamar A. Byers, and sundry other persons, for personnel action in the regular corps of the Public Health Service.

By Mr. FULBRIGHT, from the Committee on Foreign Relations; without reservations:

Executive B, 90th Congress, first session, Supplementary Convention between the United States and Canada; and

Executive F, 90th Congress, first session, Income Tax Convention between the United States and Trinidad and Tobago (Ex. Rept. No. 18).

LEGISLATIVE SESSION

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

The PRESIDING OFFICER. Is there further morning business?

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business?

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 12144) to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 12144) to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes, was read twice by its title and referred to the Committee on Agriculture and Forestry.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

ADDRESS BY SENATOR AIKEN AT MONTANA DINNER TO COMMEMORATE SENATOR MANSFIELD'S 25 YEARS IN CONGRESS

Mr. METCALF. Mr. President, when I was at home in Montana several weeks ago I was privileged to participate in the Mansfield Endowment Dinner at Helena, October 14. The dinner was the second of two such events, the first held here in Washington August 24, commemorating Majority Leader MIKE MANSFIELD'S 25 years in Congress and the beginning of the Maureen and Mike Mansfield lectures in international relations at the University of Montana.

The evening was splendid in every respect. The featured speaker was our distinguished and able colleague, the senior Republican in the U.S. Senate, GEORGE D. AIKEN. Montanans, Democrats and Republicans, farmers and ranchers, businessmen, miners, educators, and students came from all parts of Montana, and Senator and Mrs. Aiken came from Vermont to pay tribute to Montana's senior Senator, who is Senator AIKEN'S longtime friend and trusted colleague.

Senator AIKEN is recognized as a hard-working, considerate leader in his own party. It was most appropriate that he speak at this event. The dinner recognized the inauguration of a lecture series in international relations, an area close to Senator AIKEN because of his many years of service as a member of the Committee on Foreign Relations. Senator AIKEN is also a great champion of rural America, a man who has helped solve many problems that plague the agricultural segment of our economy. Vermont and Montana have in common topography, friendly people, and the homes of two great legislators.

Mr. President, I ask unanimous consent that Senator AIKEN'S speech be printed in the RECORD.

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

SPEECH BY SENATOR GEORGE D. AIKEN, MONTANA DINNER COMMEMORATING HON. MIKE MANSFIELD'S 25 YEARS IN THE CONGRESS OF THE UNITED STATES AND THE ESTABLISHMENT OF THE "MANSFIELD LECTURES ON INTERNATIONAL RELATIONS," HELENA, MONT., OCTOBER 14, 1967

Mr. Chairman and Friends of Mike Mansfield: When I received the invitation to be here tonight to help the people of Montana and the University of Montana pay tribute to your Senior Senator for his twenty-five years of service in the United States Congress, I was quite elated.

When I was told that I was expected to make a speech my elation took a nose dive.

What can I say about Mike Mansfield that the people of Montana do not already know?

You know his background—you know his civilian and military record.

You know of the years when he worked in the mines and the years he spent at your State University as student and teacher.

You know his record in public life and you know his character.

I have known your senior Senator well only since that morning in January, 1953, when we first had breakfast together.

I could recite to you innumerable incidents and anecdotes which have occurred since that morning and which demonstrate the caliber of the man.

However, I don't propose to spend the next few minutes in simply eulogizing Mike Mansfield.

I might like to do it—you might like to hear it—but he would take me to task for it later.

Not that Mike does not appreciate the respect in which he is universally held or being credited with the things he does so right.

Senator Mansfield is the Leader of the Democratic Majority in the United States Senate.

I have served a long time in the same Body as a Republican.

I can tell you tonight that Mike Mansfield is equally respected on both sides of the Aisle in the Senate Chamber.

There are those who may wonder why the Majority Leader of the United States Senate is so well liked by the Minority Members of that Body.

The reason was well expressed by one of my Republican colleagues the other day when he said, "When Mike gives his word, he keeps it. When he says there will be no vote today—there is no vote. He never pulls a fast one or takes advantage of a Member's absence from the Floor."

This is the reason why Republican Members of the Senate like your Senior Senator.

There comes a time, however in the lives of many men when, regardless of the praise that may be bestowed upon them, they find that their greatest reward lies in the satisfaction of knowing that their works have contributed to the betterment of mankind.

Mike Mansfield is one of these men so in deference to him tonight I want to speak of those things which are close to his heart and to which he gives his working life.

Whether people are happy or not depends largely upon government and those who, by election or otherwise, assume responsibility for government at each level.

I have always maintained that one who ignores, evades or misuses his responsibility to the local community will never be too successful at the State, National or International level.

One's service to others is a yardstick by which the worth of a person is measured but that service need not always be rendered by the holding of office.

In the case of Mike Mansfield, his Community was first the mines of Montana and later the University of Montana.

In 1943, his service to the State began with election to the U.S. House of Representatives—increasing with his election to the Senate in 1952.

Since 1953, however, Mike Mansfield has become more and more a student and benefactor of the world—respected and trusted by the community of nations.

Perhaps it is because I represent a rural state that I have worked so closely with the Senior Senator from Montana.

Vermont is a small state and, until recently, we had more cows than people.

Montana is the fourth largest state in area and even more sparsely populated than Vermont—yet in many ways our problems are similar.

We have to constantly guard against efforts to concentrate the power of government in the National Capital and the economic power of the Nation in the populous financial and industrial centers.

The urge for empire building is strong, and it is so easy for the more wealthy and populous areas to forget that the wealth of which they boast was not created within their urban borders but for the most part was generated and produced on the farms and in the mines and forests of the more sparsely populated states.

The financial situation of our large cities is such that Congress is urgently pressed to remedy their plight at public expense.

It is an undisputed fact that most large cities are in an unenviable position and need help badly.

However, the solution to the problems of cities that have grown too big is not to make them bigger.

The solution lies in making the rural areas of the Nation—including Montana and Vermont—adaptable for the spreading out of industry and population.

This means that not only must electricity and telephones be made available to the country but that transportation—schools—hospitals—water and sewage disposal systems must also come within the means of the rural community.

It means that industry must decentralize—with public assistance—if necessary.

It means that a strong and prosperous agriculture must be sustained.

To this end, your Senator, Mike Mansfield, has been working assiduously and successfully.

This year I have again joined with him in an effort to further expand the program of the Farmers Home Administration to encourage recreation and other sidelines for farmers and rural residents, as well as to enlarge the Rural Water Program.

It is not alone in the economic world that our rural states must be on guard.

It is in the field of government as well.

Dreams of empire are frequently to be found in agencies of the Federal government.

The dreamers or planners, as they are sometimes called, cannot always be condemned as being either avaicious or despotic.

Usually, they actually believe that they could do better work and do more good for more people if power and facilities were more concentrated—under their supervision of course.

This, in their opinion, means the removal of certain important facilities and branch offices from the thinly populated states to a few large urban centers.

A striking example of this occurred a few years ago when a determined effort was made to close many Veterans Hospital Facilities and provide treatment for local veterans at hospitals which in some cases were several hundred miles from their homes.

Mike Mansfield reacted violently to this effort.

He not only saved facilities for the veterans of Montana, but also was instrumental in keeping VA facilities for thousands of other veterans throughout the United States.

The job that Mike Mansfield did for the veterans of Montana is only one example of his service to his people.

The years he has spent in the Senate are replete with evidences of his feeling for his home State.

I sat with him in conference with leaders of the Canadian Parliament when he persuaded them that construction of the Libby Dam would be to the advantage of both countries.

I have firsthand knowledge of his solicitude for the welfare of the Indians of Montana—how he has fought for fair treatment for the farmers, the miners and the business and professional people of this State.

And each victory he has won for the State of Montana has been to the benefit of Vermont and the other forty-eight States of our Union.

The evolution of government is a continuing process.

The days when a community was an entity unto itself passed into history long ago.

The days when a criminal could escape punishment by crossing a state line have also, for the most part, gone for good.

The advance of technology has now so far eroded time and distance that the mysterious distant lands of only a couple generations ago are now as close to us and to each other as the States of our Union were then.

And with these new conditions have come new dangers and new hopes.

The means for doing good or evil have multiplied—but the traits of mankind remain about as they were.

With regional wars breaking out here and there and with the dark clouds of a greater conflict looming ominously on the horizon, we must not make mistakes.

The United States is considered the most powerful Nation in the world today.

It was predicted by our ablest military experts that we could handily bring North Viet Nam to terms in a short time.

And now when we consider how difficult it is to make progress in that small area, it makes one wonder how successful we would be in conflict with a country that could field well armed fighting men by the million.

Surely there are ways of settling international differences other than through the waging of war.

These ways we must find.

Your Senator, Mike Mansfield, is one of the world's great leaders in searching for the formula for Peace.

He has become a leader not only in the United States but around the world because he is universally respected and trusted.

Perhaps we have yet to learn that regardless of race—creed—color or habitat people are people and possess the same traits as ourselves.

Nor, would it do us Americans any harm to learn and practice the art of being humble.

Surely there *are* other people as smart and worthy as we are.

Humility—integrity—courage and vision are as important in nations as they are in the individual—or the community, the source of the progress of mankind.

During the past twenty-five years Mike Mansfield has taken those steps upward from the Community to the State—to the Nation and to the World.

Wherever one goes, however and whatever one does, his heart and mind instinctively turn back to the place of the beginning.

It is from these sources that the great men of history have derived much of their strength and courage.

And so Mike Mansfield tonight returns again to the University of Montana to the source of many early inspirations.

He returns not only to pay homage to this University but to receive the honors which he has so fairly earned.

And to share that honor with him is Maureen Mansfield, who grew up to be a true daughter of this State and who has contributed so much to Mike's success.

Without Maureen his life and work would have been far more difficult.

In establishing "The Mansfield Lectures on International Relations" this University pays honor to a great alumnus in a manner designed to serve the four areas of political progress to which he has dedicated his own life.

I know that your efforts will be crowned with success and bring to the University of Montana a rich reward.

SENATOR HARRY BYRD—BUSY AMERICAN

Mr. MUNDT. Mr. President, I ask unanimous consent to have printed in the RECORD several editorials and news stories detailing the activities of the able and perceptive Senator from Virginia [Mr. BYRD] in support of legislation to make America a stronger and better nation in which to live.

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

[From the Lynchburg (Va.) News, Oct. 11, 1967]

BYRD AMENDMENT

Senator Harry Byrd Jr. introduced an amendment to H.R. 10345 on Tuesday. It is of especial interest.

"1. It is the sense of the Congress that the United States should not support nor participate in additional action invoked by the United Nations against the country of Rhodesia, particularly military action as called for in the Article 42 of the United Nations Charter, without the formal approval of the Congress.

"2. It is the sense of the Congress that the United States government through its representatives in the United Nations, having advocated economic sanctions against Rhodesia, should initiate and support in the United Nations economic sanctions against North Viet Nam at whose hands the United States has suffered 55,888 casualties during the first nine months of 1967."

Senator Byrd made a speech in support of this amendment and outlined the wrongness of the United States position vis-a-vis Rhodesia and pointed out that U.S. exports to Rhodesia "were reduced from $23 million in 1965 to less than $7 million in 1966." He emphasized the hardships imposed on the people in Rhodesia through the economic sanctions, but their failure seriously to affect the Smith government. He further emphasized that if our policy persisted to the next step provided in Article 42 of the U.N. Charter it would call for any military action required.

Senator Byrd pointed out, naturally, that Rhodesia came into being as an independent republic as did the United States, they being the only two colonial parts of the British Empire ever to do so. And then, he said:

"The dispute between Rhodesia and Great Britain is an internal matter to be settled by those two countries."

Further, he emphasized that use of arms against Rhodesia would throw Southern Africa into chaos and "this country must not become involved in an African Viet Nam."

He made it quite clear, and to us impossible to challenge, that we have no business imposing sanctions on Rhodesia or interfering in something in which we have no business, for Rhodesia does not constitute a threat to any country.

On the other hand he advocates economic sanctions against North Viet Nam, and not against Rhodesia—against the enemy, not the friend. Especially he warns against military action against Rhodesia.

He makes out very simply the tragic irony of sanctions against Rhodesia and none against North Viet Nam, where the countries supposed to be our friends aid our enemies with supplies. It is an impossible, an untenable, position, requiring immediate correction. Senator Byrd deserves widespread and vigorous and determined support for his position. It is the only one that makes sense.

[From the Philadelphia (Pa.) Eastern Banker, Sept. 18, 1967]

WHAT BYRD DID

A service of the greatest value to our nation was performed recently by U.S. Sen. Harry F. Byrd, Jr., Virginia Democrat. Over the strenuous opposition of the White House, the State Department and the Senate leadership, Sen. Byrd's important amendment to the Export-Import Bank bill was adopted by a vote of 56 to 26.

"The vote was significant I think, for two reasons," Sen. Byrd wrote in a letter of explanation to constituents. "One, the Senate, in a sharp, clearcut fight, voted to limit the President's authority and, thus, asserted its own constitutional prerogative in the field of foreign affairs; and two, it made unmistakably clear that it wants the Administration to stop using American tax dollars for the benefit of nations supplying equipment to our enemy."

The Byrd action took place after the apparent failure of an earlier resolution presented jointly by Sen. Everett Dirksen, Illinois Republican and the Virginia patriot.

Senator Dirksen, wrote Sen. Byrd, "presented an amendment to the Export-Import legislation denying the use of those funds to guarantee loans to Communist countries. . . . As the debate went on, it became apparent to me that the Dirksen amendment would not be approved. So I went to work to fashion an amendment which would eliminate many of the arguments which were being made against the Dirksen amendment.

"I drew a concise amendment. It said that United States tax dollars cannot be used for the benefit of any nations engaged in armed conflict with the United States (North Vietnam) OR any nation 'the government of which' is furnishing goods or supplies to a nation at war with the United States."

Sen. Byrd properly pointed out that President Johnson had publicly approved using Export-Import Bank funds to finance the sending of $50 million in machine tools to build a Fiat automobile plant in the Soviet Union.

Eastern Banker again pledges itself to work with all possible effort to curb the subversive communist-aiding activities of Eximbank, and to curb the irresponsible exercise of authority by the despot now seated in the White House.

[From the Birmingham (Ala.) News, Oct. 10, 1967]

SENATOR BYRD AND THE CANAL

After an on-the-scene survey of possible routes for a new sea level canal linking the Atlantic and Pacific across one of several Central American countries, Senator Harry F. Byrd Jr., D-Va., says we must not relax our sovereignty in the Panama Canal Zone in the slightest until some future route is determined.

U.S.-Panamanian relations, to say the very least, have been strained for some time. Riot-

ing and other acts of violence against American installations have taken place.

In effect, some elements in Panama—the most demonstrative of which have been student groups—want us to pull up stakes and abandon our position that guards this vital seaway link. We were given this right to occupy the Panama Canal Zone in perpetuity when we built the canal more than 60 years ago.

For this privilege, the U.S. pays the Republic of Panama almost $2 million annually under terms of a renegotiated treaty 12 years ago.

Since the 1964 violence in which Americans and Panamanians lost their lives, negotiations for a new agreement have been going on. The terms reportedly demanded by Panama are considered highly unreasonable in some official and unofficial quarters in this country.

Whatever the outcome of the present negotiations, our own government has an obvious obligation to see that (1) Panama is given fair treatment; (2) U.S. funds are not the subject of undue demands, and, (3) historic U.S. rights to protect the vital linking of the seas in this hemisphere not be placed in jeopardy.

So long as we keep our hands out of Panama's internal affairs and make reasonable and sufficient payments for the privilege of occupying a narrow strip through the isthmus, we should stay right where we are until, when and if, another route is available.

[From the Tulsa (Okla.) Tribune, Oct. 13, 1967]

OUR DOUBLE STANDARD

Senator Harry Byrd, Jr. this week introduced two amendments to the State Department budget that read as follows:

1. "It is the sense of the Congress that the United States should not support nor participate in additional action invoked by the United Nations against the country of Rhodesia, particularly military action as called for in Article 42 of the United Nations Charter, without formal approval of the Congress.

2. "It is the sense of the Congress that the United States government through its representatives in the United Nations, having advocated economic sanctions against Rhodesia, should initiate and support in the United Nations economic sanctions against North Vietnam at whose hands the United States has suffered 55,888 casualties during the first nine months of 1967."

Hear! Hear!

The U.N., in an effort to please its African members, has conducted an economic war against Rhodesia on the ground, which is perfectly true, that Rhodesia is not set up as a perfect democracy. In Rhodesia the Negro majority is allowed to elect only a small minority of the parliament.

The United States government has gone along enthusiastically with the U.N. restrictions. It asked for "voluntary" sanctions against Rhodesia, with the result that our trade with that country dropped from $23 million in '65 to less than $7 million in '66. Last January President Johnson signed an executive order making it a criminal offense for any American to trade with Rhodesia in most goods.

Still, none of the economic sanctions has brought down the Rhodesian government. So there remains Article 42 of the U.N. charter, calling for joint military action against nations that are "a threat to peace." The argument is that since Rhodesia is very unpopular with its neighbors Rhodesia must be conquered to prevent a war.

Senator Byrd asks why we then don't conquer Israel, since it, too, is unpopular with its neighbors, and a war actually flared this summer.

Among countries which have supported U.N. action against Rhodesia are, of course, the Communist countries. In those countries voters are given one slate of candidates. They may vote for no others. Is this more perfect "democracy" than the one in Rhodesia where the majority of voters are under-represented?

Almost 20 years ago the North Koreans cynically, and in violation of solemn treaties, invaded South Korea. The U.N. declared a "police action," but nobody pitched in except the United States and a handful of Turks and Aussies.

The Communists violated the 17th parallel demarcation line between North and South Vietnam almost as soon as it was established. They set about throwing South Vietnam into chaos by systematically assassinating village chiefs. They have used the neutral countries of Cambodia and Laos so brazenly as a marching corridor that this week the Laotian government appealed for American help.

Yet the U.N. has stubbornly refused to see the actions of North Vietnam as a threat to peace. Its general secretary, U Thant, has had bitter criticism for the United States, alone. And last year 240 ships flying the flags of U.N. members delivered goods to North Vietnam.

That the United States government should lend itself to a war against Rhodesia at the urging of an international organization that has found no threat to peace by the actions of the Communists in Southeast Asia would be utterly fantastic.

The Byrd amendments should certainly be passed.

[From the Chicago (Ill.) Tribune, Oct. 12, 1967]

UNREALITY IN U.N.

The amendment tacked by Sen. Harry F. Byrd of Virginia to an appropriation bill has been adopted by the Senate, expressing "the sense of Congress" that the Johnson administration seek mandatory economic sanctions from the United Nations against communist North Viet Nam as a threat to international peace.

It can confidently be predicted that the administration won't comply, even if the House joins in the call. And it can be even more confidently predicted that, if the administration made the attempt, the U.N. would do nothing. The communist bloc would naturally be opposed, and the Afro-Asian bloc has an obvious prejudice to persuade it that sanctions and other slapdowns should be reserved only for "colonialist" regimes which refuse to bow out in favor of colored majorities.

Nevertheless, Mr. Byrd's maneuver serves a good purpose. It turns a searchlight on the kind of U.N. hypocrisy which has decreed sanctions by almost unanimous vote against Rhodesia, which is at war with no one and yet is declared to be a threat to international peace, and at the same time finds no threat to peace and no need for sanctions against North Viet Nam, which has initiated a war of conquest against its neighbors to the south.

As long as the U.N. has one eye with such good vision that it can see things that aren't even so and another eye that is so blind that it can see nothing it does not care to see, it will be a nullity and a nothingness, which is just what it is.

[From the District Fifty News, Sept. 11, 1967]

SENATOR HARRY BYRD—CROWN CORK AND SEAL EMPLOYEES ATTEND CELEBRATION

WINCHESTER, VA.—The annual picnic of Local Union 15464, comprised of the employes of Crown Cork & Seal Company, was held at Senseny Park here last week. In addition to tables loaded with food and drink, pony rides and races for the children, the picnickers were treated to a visit and a short speech by United States Senator Harry F. Byrd, Jr., of Winchester.

The Senator was introduced by International Executive Board Member Robert R. Fohl, who described him as "a friend of the working man and a tireless worker in Washington on behalf of all Americans."

Following a short interval during which the Senator met with various dignitaries at the picnic, he greeted the crowd and made a brief speech. Sen. Byrd told the group of his pleasure in attending their picnic and discussed some of his activities in Washington. He discussed his political philosophy and talked about his impressions of current measures that are now before the Senate.

DISTINGUISHED COMMITTEE SUPPORTS AMERICAN POLICY IN VIETNAM

Mr. SMATHERS. Mr. President, the newly formed Peace With Freedom Committee for Vietnam—which includes such eminent Americans as former Presidents Truman and Eisenhower—will perform a vital function for the United States.

Unlike many administrative critics, this group of distinguished Americans has appealed to reason, not to emotionalism.

The committee believes that America must support the President's sane middle course in Vietnam against the extremes of unilateral withdrawal and mindless escalation—the sensible road between capitulation and indiscriminate use of power.

What is more, it believes that the vocal dissent of a few has given the enemy a misimpression of the American people's determination to see the Vietnamese conflict through to an honorable conclusion.

No longer will the silent majority of Americans who support our commitment to Vietnam go unheard—here or abroad. They have an articulate spokesman in the joint voices of America's most honored citizens—the Citizens Committee for Peace With Freedom in Vietnam.

This committee will make it clear to Hanoi and Peking that any nation which mistakes the depth of our determination in Vietnam will be gravely disillusioned.

I ask unanimous consent that a Washington Post editorial commending the Peace with Freedom Committee on its reasonable and resolute position be printed in the RECORD.

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

[From the Washington Post, Oct. 27, 1967]

THE MIDDLE WAY

The Citizens Committee for Peace with Freedom in Vietnam has launched its career with a statement of policy that is persuasive and logical. It can perform a useful service by lending support to those who wish, as it does, to pursue in Vietnam a "sensible road between capitulation and indiscriminate use of power."

Those who adhere to this policy—former Senator Douglas, General Omar Bradley, former Presidents Truman and Eisenhower and their distinguished associates on the Committee—have a difficult role. Those who wish a less restrained attack and those who wish a withdrawal edging toward capitulation have arguments with a superficial logic to them. The middle course requires a much more sophisticated approach.

The basic argument over Asian policy has not altered much in recent months. The disputants have only raised their voices a little higher without elevating their arguments

An improvement in the tone of debate may be one service this group can perform. Its sober and dignified announcement encourages that expectation.

The judgment of citizens such as these that the vital interests of this country are at stake in South Vietnam cannot be lightly dismissed. The Committee deserves a considerate and respectful hearing both because of the distinction of its leaders and the temperate character of its argument.

FATHER GABRIEL RICHARD

Mr. HART. Mr. President, October 15 marked the 200th anniversary of the birth of Father Gabriel Richard, a former colleague of ours from the old Michigan Territory. Father Richard was elected a Delegate to the 18th U.S. Congress in 1822 and served one term. He was the first and the only Roman Catholic priest ever to serve in this body.

Aside from this distinction—and some of his conservative parishioners in Detroit considered it a dubious distinction at best—Father Richard gained renown as a crusader in many fields.

Born in France October 15, 1767, he went to Detroit in 1798 and remained there until his death in 1832.

Detroit in 1798 was a crowded, boisterous frontier town whose hearty, robust inhabitants were more interested in the immediate problems of survival on the frontier than book learning.

Guided by what some have called a sense of divine purpose, Father Richard met the challenge the frontier town presented.

In 1802, he established the first schools in the Territory. These schools served the children of settlers and Indians.

In 1809, he brought the first printing press to the Territory and printed Michigan's first newspaper. He also used the press to print text books, a Bible for the Indians and the laws of Michigan.

In 1817, he helped found the University of Michigan which is celebrating its 150th anniversary this year.

During his term in Congress, he suggested and helped enact legislation to build a road between Detroit and Chicago.

Father Richard probably is best remembered in Detroit for untiring leadership in rebuilding the town after the great fire of 1805, a fire which destroyed all but two of the 400 buildings in Detroit. Almost singlehandedly he organized the citizenry into work crews and made provisions to secure food from outlying areas.

Certainly, there is an obvious parallel to be drawn between Father Richard's efforts to build Detroit out of the ashes of 1805 and the efforts to rebuild Detroit out of the ashes of summer 1967.

His indefatigable spirit stands as an example of what is needed today to revitalize the Nation's cities.

In July 1832, when Father Richard was nearly 65, another tragedy struck Detroit. An epidemic of cholera spread through the city.

Father Richard's 34 years of dauntless crusading was beginning to take its toll. Pale and emaciated, he nevertheless worked from early morning until night, encouraging the well and administering spiritual consolation to the sick and dying.

By September 1832, the disease had all but disappeared. It was, however, to take one last victim—Father Richard.

Thus, Father Richard died as he had lived, helping the needy.

Today in Detroit, a monument to Father Richard stands at the entrance to Belle Isle, one of the great city's parks. The monument is a small token of the appreciation of Michigan residents who considered themselves fortunate in having had Father Richard's inspired leadership in those often turbulent, formative years. His spirit and devotion to the effective service of his brother man would be a sound guide for each of us.

BOWING TO AGITATORS

Mr. BYRD of West Virginia. Mr. President, I call attention to an editorial which appeared in the October 31, 1967, edition of the Martinsburg, W. Va., Journal. The editorial titled "Bowing to Agitators," states something which I have said time and again:

> The wave of civil disobedience and demonstrations which swept over this country during the last few years and promoted by persons such as Dr. King laid the foundation for today's violence and riots. Laws were broken, court orders were flaunted, towns were overrun, and police were made helpless. And now all we hear is that these conditions are the result of poverty. As someone has said, if poverty were an excuse for rioting, Abraham Lincoln would have been the Stokely Carmichael of his day and Booker T. Washington would have been the Floyd McKissick of his time.

As a matter of fact, I am the "someone" referred to in the last sentence of the paragraph which I have just extracted from the editorial. In the wake of the Detroit riot, I stated in speeches on the Senate floor that if poverty were an excuse for rioting, Abraham Lincoln would have been the Stokely Carmichael of his day and Booker T. Washington would have been the Floyd McKissick of his time.

The Martinsburg Journal editorial goes on to say that:

> Picketing, demonstrations, rent strikes and sit-ins are not activities which will provide poor people with the education, training, or jobs they need. It may be fun for the activists to engage in this type of program but it does little to help the poor.

Mr. President, I say "amen" to the editorial, and I ask unanimous consent that it be inserted in the RECORD.

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

BOWING TO AGITATORS

Why must the Congress and other Federal commissions allow themselves to become sounding boards for those agitators who advocate disobedience of the law and massive demonstrations designed to disrupt the orderly processes of government?

That is the question which must bother most Americans when they read where Dr. Martin Luther King was called to Washington to testify before a closed session of the President's Special Advisory Commission on Civil Disorders.

As soon as Dr. King finished his testimony he stepped out and called for a prolonged, city-paralyzing demonstration in Washington to prod Congress into adopting a $20-billion-dollar-a-year anti-poverty program. He wants Congress to appropriate $20 billion a year for the next 20 years to fight poverty conditions.

"The time has come," he said, "to camp here in Washington and stay here by the thousands and thousands until the Federal government and the Congress will do something about the problems."

He said, "We have to make it clear that the city will not function. We're going to have to have an act of civil disobedience to get this."

It is an insult to the intelligence of the American people for the President's Special Advisory Commission on Civil Disobedience to call Dr. King before that body studying the cause of riots in the nation's cities last year. After all, Dr. King long has been the No. 1 advocate of civil disobedience which led this Nation down the road to violence and rioting. Why then hear from him again on this subject? Why give him a platform to preach more mass demonstrations?

The wave of civil disobedience and demonstrations which swept over this country during the last few years and promoted by persons such as Dr. King laid the foundation for today's violence and riots. Laws were broken, court orders were flaunted, towns were overrun, and police were made helpless. And now all we hear is that these conditions are the result of poverty. As someone has said, if poverty were an excuse for rioting, Abraham Lincoln would have been the Stokely Carmichael of his day and Booker T. Washington would have been the Floyd McKissick of his time.

It has been more than three years since the President signed the Economic Opportunity Act of 1964. Several billions of dollars have been spent on a number of programs conceived to help the 33 million poor Americans. Most of these programs have been dismal failures. We have found that it is not enough simply to identify those persons whose incomes fall below a certain dollar figure, and then work out on paper some programs which theoretically will enable them to succeed in overcoming all the elements in their background which have resulted in their poverty status.

One phase of the Federal government's anti-poverty drive has been the community action programs set up throughout the country. In most instances these efforts have been taken over by extremists and activists and Federal funds have been used to support activities not in the least related to constructive anti-poverty efforts. In Syracuse for example, poverty funds have been used by the Syracuse Community Development Association to support demonstrations against the city administration and to provide bail for arrested demonstrators. In Cleveland, a group receiving anti-poverty money piled rats and trash on city hall steps to dramatize the conditions under which slum dwellers are forced to live. In Washington, D.C., anti-poverty workers have organized persons on welfare to picket the Welfare Department, to stage sit-ins there, and have also organized demonstrations at police precinct houses. In New York City an OEO supported group organized rent strikes and school boycotts.

Picketing, demonstrations, rent strikes and sit-ins are not activities which will provide poor people with the education, training, or jobs they need. It may be fun for the activists to engage in this type of program but it does little to help the poor.

Why then should Congress shell out another $20 billion to be poured into such ridiculous programs? If democracy means anything at all, it means that the taxpayers' money shall be spent only in accordance with the laws and policies determined by the people's representatives. And if democracy means anything at all, it means that such

laws and policies are formulated and adopted only through a process whereby the people's representatives are persuaded to support them by rational arguments presented in democratic debate. Threatening civil disobedience and mass demonstrations is not the way to persuade Congress to follow a certain course. It is time Congress and the Federal commissions stopped inviting the Dr. Kings to Washington to advocate more of the rampant disorder which has raged in the streets of our cities.

CENTENNIAL ANNIVERSARY OF THE NATIONAL GRANGE

Mr. PROUTY. Mr. President, on December 4, the National Grange will celebrate its 100th anniversary. I am proud to have this opportunity to congratulate the Grange for a century of accomplishment and service to rural America.

The Grange, for 10 decades, has effectively played two roles: one, as a nonpolitical yet socially concerned organization, which has advocated and sponsored legislation of crucial national importance; and another as a rural—family fraternity which has promoted community progress and self-improvement.

Enumerating even the most important of the Grange's national achievements is a large task.

The passage of the Granger laws in 1873, upheld by the historic Supreme Court decision—Munn against Illinois—in 1876, led to the establishment of the Interstate Commerce Commission. Thus, the National Grange had a large part to play in forcing official recognition of the public's interest in the affairs of business.

The National Grange led the fight for providing the Department of Agriculture with Cabinet rank and for establishing rural extension services.

In succeeding years, the National Grange has sponsored legislation to establish the school lunch and milk program, promoted the Parcel Post and rural free delivery services, championed the establishment of the Rural Electrification Administration and the interstate highway system, and has campaigned for the extension of social security benefits to farmers and farmworkers.

Clearly the Grange is to be commended for its public responsibility. Its impact has reached beyond rural America and outside the continental United States. The Grange, for example, was instrumental in the establishing of the Food and Agriculture Organization of the United Nations and has vigorously supported that organization ever since.

In addition, however, individual Grange organizations have had direct impact upon the lives of Grange members. The Grange in rural America has been and remains a unique institution. It provides whole families, often isolated by great distances from one another, with an opportunity to come together, not only for social functions but to discuss mutual economic problems and community affairs. The Grange has traditionally sponsored and encouraged self-improvement programs for rural residents of all ages.

One of the most admirable characteristics of the National Grange is that it has never been content to rest upon its laurels. Rather, it has continued to take the lead in the advocation of progressive new programs and legislation.

Today we are faced with the severe problems of rural and urban poverty. In order to meet the challenges which poverty poses, we must develop innovative new approaches. I am confident that the National Grange with its 620,000 national members, of whom 12,105 are in my own State of Vermont, will take up the challenge eagerly and be in the forefront of antipoverty activity. The result can only be success and a lasting contribution in yet another field of endeavor.

I salute the National Grange.

NATIONAL FEDERATION OF INDEPENDENT BUSINESS, ADVOCATE OF AMERICAN SMALL BUSINESS

Mr. SMATHERS. Mr. President, soon the National Federation of Independent Business will be celebrating its 25th anniversary. Its president and founder, Mr. C. Wilson Harder, is to be commended for the outstanding work in behalf of small business performed by his organization during the past quarter century.

Most of us in the Congress are familiar with the federation through the continuous efforts of its representatives here on Capitol Hill, and I would like to say that, as chairman of the Select Committee on Small Business of the U.S. Senate, I have personally become very aware of the sincere voice with which this organization speaks in behalf of the small businessmen across the Nation.

The cornerstone of the National Federation of Independent Business is its publication the Mandate. This organ spotlights legislation that is, or should be, before the Congress. It carries a tear-off, selfmailer ballot. By having each federation small business member actually vote his own ballot and by having it forwarded directly to his Representative in the House, a close working relationship is built between independent businessmen and their Members of Congress. A national summary is made of the vote and copies of this summary are forwarded to the entire federation membership as well as to every Member of Congress. This national summary enables the federation's Washington office to followthrough in their work with Members of Congress and congressional committees.

The fact that the National Federation of Independent Business now has a membership fast approaching a quarter of a million is an eloquent testimonial to the excellent work done by the federation during the past 25 years.

One of the most recent efforts of the federation has been to bring home to us in the Congress the adverse effect upon small business resulting from the recent increase and extension of Federal minimum wage laws. Not too long ago, I, along with 31 other Senators, cosponsored an amendment introduced by the distinguished minority leader, Mr. DIRKSEN, which would exempt certain small firms from complying with this law.

The attention which this problem, and the corrective amendment, has attracted is due in no small way to the efforts of the National Federation of Independent Business.

So on this occasion, I would like to congratulate Mr. C. Wilson Harder, and the staff and membership of the National Federation of Independent Business for their continuing efforts and good work, which have made them a strong force in the fight for survival of the American small business community.

PRESIDENT JOHNSON URGES SENATE RATIFICATION OF HUMAN RIGHTS CONVENTIONS [redacted]

Mr. PROXMIRE. Mr. President, on October 11, 1967, President Lyndon B. Johnson issued a proclamation on Human Rights Week and Human Rights Year.

In this proclamation, President Johnson stated clearly and forthrightly his strong support of Senate ratification of the human rights conventions:

American ratification is long overdue. The principles they embody are part of our own national heritage. The rights and freedoms they proclaim are those which America has defended—and fights to defend—around the world. It is my continuing hope that the United States Senate will ratify these conventions. This would present the world with another testament to our Nation's abiding belief in the inherent dignity and worth of the individual person. It would speak again of the highest ideals of America.

We now have before us the strong endorsement for Senate ratification of the human rights conventions from both President Kennedy and President Johnson. The position of both administrations is unmistakable.

It is their considered judgment that Senate ratification of the Human Rights Conventions on Forced Labor, Freedom of Association, Genocide, Political Rights of Women, and Slavery is in the national interest of the United States.

I agree wholeheartedly.

I ask unanimous consent that President Johnson's proclamation, "Human Rights Week and Human Rights Year," be printed in the RECORD.

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

HUMAN RIGHTS WEEK AND HUMAN RIGHTS YEAR

(A proclamation by the President of the United States of America)

The year 1968 will mark the twentieth anniversary of the Universal Declaration of Human Rights by the United Nations—an historic document of freedom that expresses man's beliefs about the rights that every human being is born with, and that no government is entitled to deny.

The United Nations has designated 1968 as International Human Rights Year. It has invited its members to intensify their domestic efforts to realize the aims of the Declaration.

Every American should remember, with pride and gratitude, that much of the leadership in the drafting and adoption of the Declaration came from a great American, Mrs. Eleanor Roosevelt. She was our first representative on the UN Commission on Human Rights.

Today, October 11, would have been her 83rd birthday. With the inspiration of her humanitarian concern still before us, I call

the attention of our people to the Declaration she helped to author.

To Americans, the rights embodied in the Declaration are familiar, but to many other people, in other lands, they are rights never enjoyed and only recently even aspired to.

The adoption of the Declaration by the United Nations established a common standard of achievement for all peoples and all nations. These principles were incorporated into Human Rights Conventions, to be ratified by the individual nations.

American ratification of these Conventions is long overdue. The principles they embody are part of our own national heritage. The rights and freedoms they proclaim are those which America has defended—and fights to defend—around the world.

It is my continuing hope that the United States Senate will ratify these conventions. This would present the world with another testament to our Nation's abiding belief in the inherent dignity and worth of the individual person. It would speak again of the highest ideals of America.

Now, therefore, I, Lyndon B. Johnson, President of the United States of America, in honor of the ratification of the American Bill of Rights, December 15, 1791, and in honor of the adoption by the General Assembly of the United Nations of the Universal Declaration of Human Rights, December 10, 1948, do hereby proclaim the week of December 10 through 17, 1967, to be Human Rights Week and the year 1968 to be Human Rights Year. In so doing, I call upon all Americans and upon all Government agencies—federal, state and local—to use this occasion to deepen our commitment to the defense of human rights and to strengthen our efforts for their full and effective realization both among our own people and among all the peoples of the United Nations.

In witness whereof, I have hereunto set my hand this eleventh day of October, in the year of our Lord nineteen hundred sixty-seven, and of the Independence of the United States of America the one hundred and ninety-second.

LYNDON B. JOHNSON.

VISTA VOLUNTEERS DESERVE SUPPORT

Mr. GRUENING. Mr. President, from the very beginning Sargent Shriver and the Office of Economic Opportunity have been tempting targets for criticism.

Mr. Shriver himself would agree that some of it has been justified. It is not easy to implement new ideas, especially for a program necessarily of such magnitude and after such long neglect. There have indeed been mistakes.

But a great deal of the criticism has been without foundation and has betrayed a lack of compassion and a lack of commitment to the imperative need for equality of opportunity in our society.

A series of articles on the work of VISTA volunteers in Alaska which appeared recently in the Anchorage Daily Times provides abundant evidence that the Office of Economic Opportunity is making a profound, constructive, and gratifying difference, for the better, in the lives of Americans.

VISTA volunteers are cheerfully and willingly working in Alaskan villages hundreds of miles removed from the kind of life they knew before entering VISTA. They are offering their best years to improve the lives of others, and they deserve our support, encouragement, and thanks.

Mr. President, I ask unanimous consent that the series of articles from the Anchorage Daily Times be printed in the RECORD.

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

[From the Anchorage Daily Times, Aug. 7, 1967]

VISTA VOLUNTEERS HELP ORGANIZE NATIVE VILLAGES

(EDITOR'S NOTE.—This is the first in a series of five articles concerning the VISTA program in Alaska—its challenges, its goals and its successes.)

(By Claire Strid)

The deaths and destruction of property caused by recent riots in several cities in the United States will cost Americans millions of dollars and countless hours of personal misery and frustration.

To combat the causes behind riots and unemployment and the poverty and misery they cause, more than 3,500 Americans are currently working as Volunteers In Service To America, the domestic version of the Peace Corps.

In Alaska, approximately 100 VISTA volunteers are serving in native villages with populations between 100 and 500 persons in the western part of the state, in community organization and development programs.

Eric Haeger, field support officer for the VISTA program in Anchorage, said volunteers in Alaska are trying to help members of these villages "think in terms of a group—to give the village council, that has existed in name only, a reason for being."

Haeger is in his second year of volunteer service with the VISTA program and has been working as field support officer since November of last year.

He helps with the training and placement of new volunteers and is administrative officer to the 40 volunteers who are serving in villages around Nome. His job includes going to the individual villages to arrange with their councils for volunteers to do what the villagers want done.

He also serves as a liaison officer between the volunteers and the villages at first, and then between the volunteers and the agencies they want to contact after they get to their assigned stations.

In the community organization and development program, Haeger said volunteers work with the village council as the basic institution of the community, and set up newspapers to help village communication. Volunteers work in nursing, teaching and generally try to organize villagers, he explained.

Base operations for the state are in Fairbanks, and the University of Alaska is one of several colleges and universities in the nation where VISTA volunteers are trained.

Haeger said the primary purpose of all of the VISTA programs is to build up the confidence of the people and to help them to work together. "These people don't know where to go for the help they need, and in most cases, don't even realize that aid is available to them," Haeger said.

VISTA was established by the Economic Opportunity Act of 1964 and the first volunteers took their stations in June, 1965. Volunteers serve where they are needed and requested and are working in all of the 50 states, the District of Columbia, Puerto Rico and the Virgin Islands.

Volunteers are sent to their assigned stations after they have completed a questionnaire and submitted a list of references to the national office in Washington, D.C. They are sent to a training base and to a community similar to the one they will be stationed in for orientation and further training.

They also attend conferences during their tour of duty to learn new methods and techniques that have been developed to do better what they are already working on.

They receive a basic living allowance of approximately $75 a month to pay the necessary living expenses in the areas they are stationed and collect $50 for every month they are in the program, paid at the end of their service.

Volunteers must be at least 18 years old, but there is no maximum age or special education or experience requirement to join the program. The youngest person serving in VISTA is 18, and the oldest is 85.

Persons who are physically disabled or who have a chronic illness not requiring frequent medical care can be volunteers if they can carry out their assignments. There are physically handicapped persons working as volunteers now.

For persons who cannot serve a full year, VISTA started a summer associates program last year for volunteers to serve in Appalachia. Other similar projects are also being considered for persons who cannot serve the usual one year assignment.

VISTA in Alaska is working on an eight-month project that would allow natives to be hired as volunteers for the winter months. They would be recruited by VISTA volunteers already in the villages for potential leadership qualities, and the only requirements would be minimum age of 18 and an ability to speak English.

Native volunteers would receive the same pay and be trained and oriented as all VISTA workers.

The proposed project has been sent to the governor for his approval, and VISTA hopes to begin the eight-month project this fall.

When volunteers leave their tours of duty with VISTA, they can contact the Volunteer Information Service which provides career and educational information to VISTA alumni, but the service does not guarantee placement or future employment.

As of last year, 14,143 volunteers had been requested to serve on 1,165 projects in all 50 states, the District of Columbia and the U.S. territories.

More than half of the nation's poor live in cities and towns. One out of every ten urban families lives in poverty and 884 volunteers have gone to work to help fight it on 109 urban community projects.

One third of rural America has been officially classified as poor, and there are 1,248 VISTA people working in the rural areas with them on 266 projects.

VISTA volunteers also work in migrant worker camps, on Indian reservations, in mental health and with the Job Corps.

In mid-July, Gov. Walter J. Hickel approved a federal grant of $323,750 for the VISTA program in Alaska. The funds will be used for fiscal 1968 projects.

[From the Anchorage Daily Times, Aug. 8, 1967]

VISTA PROGRAM IN ALASKA NEEDS MORE VOLUNTEERS FOR VILLAGES

(EDITOR'S NOTE.—This is the second in a series of five articles concerning the VISTA program in Alaska—its challenges, its goals and its successes.)

(By Claire Strid)

Eric Haeger, the only VISTA administrative officer in the Anchorage area, would like to see more volunteers working with the natives in more villages in Alaska.

"These people don't get represented in the mainstream of living," he said.

Haeger is working with the war on poverty and is interested primarily with applied domestic politics. He is in his second year of service as a Volunteer In Service To America.

He majored in political science at Middleburg College in Vermont and took a bachelor of arts degree in 1965. In November of 1965 he joined the VISTA program and was sent to Juneau and trained in Kake, a village near

Sitka, before he was stationed at the village of Mekoryuk on Univak for one year.

The village has 250 persons and only half of them could speak English.

Haeger and his VISTA partner taught four classes of basic English through the Head Start program and helped set up a halibut fishery cooperative for marketing, processing and shipping.

"The men in the village never really sold their fish before as a commercial establishment. They work in the summer at part-time jobs in Bethel and earn enough money to buy staples for the winter months," Haeger explained.

"The older people go to fishing communities to catch and dry fish for their winter stock. The Bureau of Indian Affairs hires some natives to help with reinueer hunting, and what they earn there goes to buy basic staples for winter," he continued.

"Nobody in the village has a full time job except the Bureau of Indian Affairs maintenance man, the postmaster and the Head Start director there," he said.

"At first, they distrusted me—I was a kind of curiosity. But now the novelty has worn off, and replacements are accepted because the natives understand why they are there."

The people live in very small plywood houses, poorly insulated, with an average family of ten, he said. There is no electricity or plumbing and no medical facilities closer than Bethel—an hour and a half plane ride from Mekoryuk. "The government subsidizes mail runs," Haeger explained.

The Public Health Service hospital at Bethel is the destination for major medical cases, and winter weather usually accounts for a delay of about two weeks, he said.

"Medical aids trained by the Public Health Service are based in the village, and there is radio contact in case of an emergency. These people are trained in basic first aid only, and receive no pay so there is a high turnover," he said.

"The village purchases basic medical supplies through funds collected from the natives who attend village-sponsored movies at $1 a person.

"The Bureau of Indian Affairs maintains an elaborate school system, not unlike schools anywhere else, to the eighth grade."

Haeger and his partner taught beginning classes in English for children and adults, and also had a class for advanced students. "Getting the people oriented to a classroom situation was a basic part of the teaching program, especially for the older people," Haeger noted.

"Where there was no Office of Economic Opportunity funded program, we taught adults—six in one class of women who could speak a little English and understand a little more," he said.

Haeger explained that four high schools are operated in the nation by the Bureau of Indian Affairs for graduates of the village-based schools. The high schools are in Oregon, Oklahoma, Sitka and Wrangell.

"The BIA pays all expenses for high school students sent to these schools, but the natives resent having their children sent to schools outside because of their exposure to a different kind of environment—with many different kinds of temptations that are unknown to them in their villages," he said.

"The pressure and frustrations are too much for the kids, and most of them go back and continue the same kind of subsistence living they had before they left," Haeger explained. "The young people do want to learn, but the old people are still in the old culture.

"A regional high school at Bethel would help the situation immensely. The nomadic villages embrace the education programs as a good thing, but they don't like the exposure to the 'bad things' of the society they are forced to join by attending high schools in such different invironments."

Haeger said education is "a felt need" to these people and estimated the school's enrollment at approximately 50 students. "The village people moved to the school from outlying areas when the school was built, and they are still there."

Haeger took a two-week vacation to his home state of Massachusetts at the end of his first year in the VISTA program and returned to Alaska in November of last year to become a field support officer in Anchorage for volunteers in the Nome area.

He helps train and place new volunteers when they arrive and is their communication link once they get to their assigned villages. Currently there are approximately 35 volunteers in the Nome area.

"We work in villages with populations between 100 and 500 because larger communities already have the basic medical and communications facilities they need," Haeger explained.

He told of two volunteers and the work they are doing in Alaskan villages.

In the village of Teller, one volunteer is working with arts and crafts to catalog and market ivory carving. She is also helping the village to gain the status of a fourth class city and is starting a program in jade carving. She also has set up a newspaper to help with village communications.

Another volunteer in a village near Nome is working with funds from the Rural Development Act to help the village housing problem by building a model home. He is working with carpentry, mostly cabinet making, in technical education.

He also is keeping records of all stages in the building project for future reference and is working with the village council to help the community get the maximum appropriation of federal funds to the area.

[From the Anchorage Daily Times, Aug. 9, 1967]

VISTA Workers Aid Total Environment of Natives

(Editor's Note.—This is the third in a series of five articles concerning the VISTA program in Alaska—its challenges, its goals and its successes.)

(By Claire Strid)

Teaching native children general water safety—mostly how to swim in cold water—is the task of a VISTA volunteer who left for Bethel July 31.

Bonnie Archbold, a native of St. Paul, Minn., is in her second year of duty as a Volunteer in Service To America in Alaska. Last year she worked in Nunapitchuk and started a water safety instruction program with the children there.

When she signed up for her second year with the program in May, she was assigned to do more of the same type of work with the Campfire Girls stationed in Anchorage.

She and six other staff members from the Anchorage office will be in Bethel and the surrounding area for the next two weeks teaching natives recreational safety programs.

"Although they live around water their entire lives and are dependent on it for their living, the natives are afraid of it and often panic if they are ever in a boating accident," she explained. "The program was so great last year that we decided to expand it this summer."

The water safety program is available to everyone in the 1,800 population village of Bethel. Children and other VISTA volunteers from the village of Kasiglook three miles from Bethel will also attend program sessions.

"When we started the program, we couldn't find any information on swimming in cold water, much less how to teach anyone how to swim in it," Miss Archbold said.

"So we are doing what you might call 'action research,'" said Joan Hurst, executive director of the Campfire Girls in Anchorage. "We teach them to swim with their clothes on in water that's usually between 43 and 54 degrees. The teaching techniques are subject to momentary change—whatever works best is used."

Miss Archbold was the first VISTA volunteer in Nunapitchuk and she worked there to help set up the first library in the village. "The men built the shelves in the back of the community hall, and I started to recruit books," she said.

But once the library was set up, she made no attempt to catalogue the books or set up a checking-out system because then they would call it "my library," she explained. "And I didn't want that. They had already started calling it 'my library' during the organizational stages. My purpose was to set it up and make the books available to them, then to leave it to them. Once I left, there wouldn't be anyone there to take over the book work any way, so it would have been useless to them later."

Miss Archbold has a degree in library science from St. Catherine's College in St. Paul, Minn., and worked in Chicago before she joined the VISTA program.

During her first year of duty in Nunapitchuk, she lived in an old abandoned house that had been used as a school at one time. She had an oil stove and lived on ptarmigan and dried fish just like everyone else in the village. She said she also ate rotten fish heads, a delicacy to the natives, and salmon berries. "It's great!"

When she first arrived at the village, the native children were afraid of her because of the influence the adults had made on them. "They are told that if they aren't good, the gusak (the white man) will get them," she explained. "You feel like an old witch.

"Just being there and letting them know you won't hurt them and letting them hear English is the only way to cover up the bad influence," she explained.

"They've had a rotten deal from the white man. They have been cheated," she said.

Besides setting up the library, she worked with two campfire groups and started a third, helped the natives learn how to fill out government forms, and participated in the adult education program through a Head Start class.

As part of the recreational program, she conducted an afternoon arts and crafts class for the children on the walk of her house. "The games and songs were new but the daily sessions were similar to those of the school, so they enjoyed it," she said.

The classes were held on the boardwalk of her house because the ground area was tundra. Children from three to seventeen came regularly. "The adults came, too, just to watch out of curiosity, and there was an old woman who came to tell the children legends.

"The games that needed little or no equipment were the ones taught, because they could be carried on after I left," she said. "Basketball was one of the games the children enjoyed most, and we improvised by propping a sled against the side of my house and used an inflated canvas boat as the backdrop."

"We used old tin cans and plastic bottles to do some of the projects, and made flowers out of paper," she said.

Miss Archbold said two girls, aged 14 and 15, were taken from the village to the Kenai Campfire Girl Camp last summer. The older one was going to be sent to Oklahoma to go to high school, so the two-week introduction to life outside of the village was to help her get oriented. "She really enjoyed it and adjusted well to life in Oklahoma, so we think it helped."

After this month's trip to the Bethel area, the VISTA volunteer and Campfire Girl personnel will return to Anchorage to work with minority group programs here and begin writing a manual for volunteers who will continue doing water safety work in the villages.

[From the Anchorage Daily Times, Aug. 10, 1967]

FOR CHILDREN: "MORE THAN JUST A CURE"

(EDITOR'S NOTE.—This is the fourth in a series of five articles concerning the VISTA program in Alaska—its challenges, its goals and its successes.)

(By Claire Strid)

Robert Heasley is a VISTA volunteer working in the Alaska Native Medical Center here "to help the children leave the hospital with more than just a cure for their illnesses."

He is working with native children in the hospital classroom and taking them on field trips to various places in Anchorage to help them become familiar with western culture.

"We have toured the National Bank of Alaska, Penney's and Safeway," he explained. "We will continue the field trip projects by touring the museum, and the children want to go to the police and fire departments, see a hotel, visit a trial, see an office building, a farm, a bakery and the library."

"They want to see a telephone booth and want to travel in a car—on modern paved highways—to see the mountains, but mostly just to ride in a car," he said.

"We are trying to give the kids something to do and help them to learn by doing more than just book learning," he explained.

Healsey has been working at the Alaska Native Medical Center for a month. He arrived in Alaska July 8 with a group of 29 new members of Volunteers In Service To America. Heasley has spent two years in college with his major in English and a speech and drama minor.

A native of Pittsburgh, he is using his college work in the hospital by starting a class for the younger children in creative dramatics.

"We are trying out any ideas for what they may be worth—to see if they work. The idea is to help them learn how to act like something other than what they are, starting by relating the people they see on the field trips to their play situations. Acting out what they have seen is also a good refresher for the field trips," he said.

"They set up a store, and act out the jobs of the clerk, the store manager and the other people they saw. It helps them to realize the minor things they saw, especially the actions of the people," he explained.

"The children I worked with before were very responsive to the acting-out situations. They were from homes of faculty members at the College, but I wasn't sure how the native children would like doing this type of thing. It serves as a means of entertainment and they seem to really enjoy it," he said.

"We acted like different kinds of animals from a list we made out. Three-fourths of the animals they listed they had never seen before and didn't know how they sounded or acted. But the children's exposure to television helped—we acted like bears, elephants, monkeys and airplanes, our grandparents, and the fat people in our village."

Heasley is working with two age groups of native patients at the hospital. The patients are mostly Eskimo and Indian children who usually stay in the hospital from one to four months, and some as long as a year, Heasley said.

Children in Heasley's groups include polio victims, amputees, tuberculosis patients, and children with eye and ear defects. He works with an older group of 10 to 15 children between ages 9 and 15 and the younger group has 15 to 20 patients under nine years of age.

"After the tours, the children discuss in their classroom where they've been. They were terribly impressed with the computer at the bank and awed when the man picked up sections of the floor to show the wiring underneath," he said.

"Ninety per cent of the children had never seen an escalator before, but they all got a chance to ride it."

"We teach them basic health and cleanliness habits, and are trying to set up a teenage council so they can do things for themselves, help them to learn organization and leadership," the VISTA worker explained.

The hospital is understaffed, he said, so children have to make their own beds and help clean up their dining room. "It's different when a nurse tells them to do it and when they can feel they are doing it themselves. They resent the nurses because of this and also because the nurses and doctors don't have the time to get to know them individually," he explained.

The teenage council will set up work schedules and plan activities for themselves as the older patients have already done.

"We are trying to establish a buddy system to help new patients get adjusted to the hospital environment and also to help the children keep busy with a person near his own age so they won't think so much about being homesick."

"They can feel that they are being treated enmass and resent it, too. Just being there to talk to the kids and be friends with them helps them get better adjusted and keeps them interested longer," he explained.

The teenage council will enable the children to work on their own initiative, Heasley said. "We will work on a project for weekend activities since all they do now on weekends is watch television. They have a Sunday school class on Sunday afternoons, but that's all."

The transient membership of the council creates a problem, but the adults have helped solve it by electing new officers every three months so that the president will be there for his term of office, he said.

Through the council, the teenagers will help decide where they want to go on the field trip. "When I started there, I made all the arrangements and told them when and where they would be going. But now it's up to them to make the phone calls and get the tours set up. I told them I had already seen all of the places they wanted to see, so if they wanted to go, they had to make the arrangements," he said.

"They are afraid to talk to anyone they consider an important person, and that's anybody from a clerk to the bank president. One boy 11 years old was in charge of making the phone call to the museum and setting up the tour time there. We couldn't find the number in the phone book, so I explained that when he couldn't find a number to call the operator.

"He called the operator and got the number, but he was petrified—the operator was an important person. He had a feeling of accomplishment when he finished, but he is still scared whenever he has to make a call. But I don't think it will be quite so hard the next time."

In the older group, Heasley is encouraging the patients to spend their spare time by painting and drawing. "Three or four of the teenagers are very good, and there is an 11-year-old who has never had a chance to draw before."

The arts and crafts background of the carving and painting in the villages helps, he explained. "They like to copy pictures from comic books and enjoy reading adventure and animal stories."

"They speak better English than Eskimo, and the only time I've heard them speak any Eskimo was during a bingo game. I was giving away candy canes as prizes and only had a limited number. After the first one was won, they started to realize that their chances were getting narrower, and they get very excited and started answering me in Eskimo. This is the first time and it's because they were so relaxed and involved that they forgot themselves."

The native children have more strict home lives in general than most other Americans, and there are no disciplinary problems other than is normal for kids in a hospital, he explained.

Transportation for field trips is a problem since the hospital has only one car for general use. The children need more individual construction projects like models and paint sets. "We have some toys and games but can always use more," he said.

[From the Anchorage Daily Times, Aug. 11, 1967]

VISTA OFFERS LEGAL AID TO NATIVES

(EDITOR'S NOTE.—This is the last in a series of articles concerning the VISTA program in Alaska—its challenges, its goals and its successes.)

(By Claire Strid)

"You'd like to help if you can—to see if you can do something," Lewis Agi explained. That is why he is a Volunteer In Service To America.

Agi will be working on a program offering legal aid to the natives as a liaison officer between the village-based VISTA volunteers and the district attorney's office in Anchorage.

He has been a volunteer since November of last year and has been based here to work on the legal aid program when it was to be established Aug. 1. He spent last winter working with the community action agency and with the Anchorage Young Adult Club to get a "substantial group of young people together once a week" mostly for recreation.

Agi received his law degree and passed his bar exam in New York last year but will be working mostly as a referral officer since he has not yet taken the Alaska bar exam.

Another VISTA volunteer based in Anchorage is John Bunn, who has also worked as a volunteer in Jacksonville, Fla.

He is coordinator of the summer recreation program for the city at Abbott Loop School and provides supervision for children in that area for recreational sports such as wrestling, volleyball and basketball. Three rooms in the school are being used for the recreation program and children attend daily.

Bunn has also worked in the village of Chefornak in southwestern Alaska.

Mrs. L. L. Thompson, a resident volunteer on the community action committee, said the committee started working in February to give children in the area a recreation program during the summer.

"The juvenile delinquency rate goes up because of the increase in populaiton," she explained, and said the program Bunn is coordinating "does help."

Agi and Bunn, along with other VISTA personnel, are working for the "War on Poverty" through the Office of Economic Opportunity. The observations cited by volunteers in Alaska are those of Americans from urban communities working in poverty-stricken and trouble areas.

A British magazine writer visited some Alaskan villages recently and saw the problems facing VISTA volunteers and what the VISTA program is trying to do to help.

Michael Teague wrote an article called "The Poorest Americans" for the Geographical Magazine of London and named VISTA "one of the most promising" branches of the anti-poverty program.

Teague explained his first impression of Hooper Bay, "From a distance, the village, with its crooked timber houses and happy friezes of children playing in the snow, looks like a rather whimsical stage set. It is only on closer inspection that one sees the houses are just shanties and that the unnaturally rosy cheeks of the laughing children are in most cases caused by impetigo."

"Nevertheless," the British writer continued, "the telling thing about poverty in this region is not so much the quality of living conditions but the frustrating lack of opportunity to make use of the abundant human and natural resources available."

Teague explained the opportunity lack was caused by geographical and climatic obstacles, most important of these being transportation.

He noted an example of the Hooper Bay fisherman who receives only $3.50 for a 20 to 25-pound King Salmon if air transportation with refrigeration is available. The same fish sells for $6 a pound in New York.

He said, "The result is that most of the villages only fish for subsistence and go on the dole in order to obtain their paltry cash 'incomes.'"

The British writer observed other projects being conducted in the villages. "In a village such as Hooper Bay the three VISTA volunteers not only help to teach in the local school and give courses in adult education and community health programs, but they also work on such practical projects as trying to get a small freezing plant to preserve fish for export, and they have been asked to help raise a reindeer herd for the village.

"If they can furnish some tips on preserving the season's catch of walrus meat, so much the better," he commented.

Teague noted the work being done by two volunteers at Emmonak for establishing a sawmill that will provide timber for building which would otherwise be brought in by air at high cost.

To the north of Emmonak at Anaktuvuk Pass, a 19-year-old college student from California is a volunteer who learned to speak Eskimo and teaches simple mathematics to the village children.

Teague also explained that the volunteer helped arrange for a tractor to be flown to the village for hauling coal from the mountains for winter fuel.

Teague cited these examples of VISTA projects being done among a people, "who are not only the poorest Americans, but also the most isolated."

AN ENCOURAGING NOTE FROM THE CAMPUS

Mr. BYRD of West Virginia. Mr. President, it is reassuring to note that, among all the growing resistance and revolt on the part of students and professors on college campuses, some student voices are still raised in support of their Government and their homeland. Such voices may appear to be in the minority, but I do not believe that that is true. It is my opinion that the vast majority of students and professors now, as always, believe in the United States of America and, when a showdown comes, will support it.

I cite an editorial in the West Virginia University student newspaper, the Daily Athenaeum, for October 26, which expresses distaste for the new left, civil disobedience, and Communist sympathizers, and I ask unanimous consent that it be inserted in the RECORD.

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

"THIS IS MY OWN, MY NATIVE LAND"

They sit at a table in front of Moore Hall passing out "resistance" material.

They quote Marxist and Socialist military leaders against United States policy.

They reject established law and order and strive to organize civil disobedience.

Admitted Communists and Communist sympathizers hold a number of leadership positions in their National Mobilization Committee.

The left stands up and advocates that all young men burn their draft cards, defect to Canada, plead homosexuality or become conscientious objectors.

The War Resisters League, the Jewish Peace Fellowship, the Central Committee for Conscientious Objectors, the American Friends Service Committee, Inc., the Catholic Peace Fellowship have material on these subjects available on campus through students for a Democratic Society.

Too many times is the press accused of printing things out of context. Is this not what the "left" is doing?

They use famous quotes most apropos to their own situations, but there are other quotes apropos to the situation, too.

"I have never advocated war, except as a means of peace," Ulysses S. Grant said.

"If peace cannot be maintained with honor, it is no longer peace," Lord Russell said.

"To be prepared for war is one of the most effectual means of preserving peace," George Washington said.

"Swim or sink, live or die, survive or perish with my country was my unalterable determination," John Adams said.

"I only regret that I have but one life to lose for my country," Nathan Hale said.

"Every citizen should be a soldier. This was the case with the Greeks and Romans, and must be that of every free state," spoke Thomas Jefferson.

We can't help but wonder if the "left" recalls the words of Abraham Lincoln in his second inaugural address:

"Let us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle, and for his widow and his orphan—to do all which may achieve a just and lasting peace among ourselves and with all nations."

How long are we going to allow leftist infiltration to mock ". . . this is my own, my native land!"?

NEW STRENGTH FOR TRUTH IN NEGOTIATIONS ACT

Mr. PROXMIRE. Mr. President, a memorandum was issued recently by the Deputy Secretary of Defense, Paul Nitze, ordering the inclusion in all noncompetitive firm fixed-price contracts involving certified cost or pricing data, a clause giving the Pentagon a contractual right to have access to the contractor's actual performance records for the purpose of postaward audits.

If the Pentagon utilizes this authority with diligence it could mean a savings to the taxpayer of many millions of dollars a year in overcharges on defense contracts. The General Accounting Office in only minimal spot checking by a limited staff discovered overcharging by defense contractors at the rate of $13 million a year for the past 10 years.

The Cleveland Plain Dealer, whose Washington correspondent, Mr. Sanford Watzman, wrote a superlative series of articles on the Pentagon's lax procurement policies, recently published an excellent editorial on the Nitze memorandum and its significance. I commend it to the attention of other Senators and ask unanimous consent that it be printed in the RECORD.

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

NEW STRENGTH FOR TRUTH ACT

A 21-gun salute to the United States Department of Defense.

It has, at long last, decided to do its duty, to audit the multibillion dollar business it does with defense contractors. It has, in effect, decided to put new meaning and strength behind provisions of the 1962 Truth in Negotiating Act.

This is a victory for the American taxpayer who has paid a bill for all too many millions of dollars in overpriced government purchases.

It is a victory for an agency of Congress, the General Accounting Office, which in only minimal spot-checking by a limited staff discovered overcharging by defense contractors at the rate of $13 million a year for the past 10 years.

Also, it is a victory for The Plain Dealer, whose Washington Bureau reporter Sanford Watzman first focused national attention on this gross mismanagement of defense business.

And it is a victory for such concerned members of Congress as Rep. William E. Minshall, R-Cleveland; Sen. William Proxmire, D-Wis., and Sen. Stephen M. Young, D-Ohio. Young read Watzman's stories into the Congressional Record. Proxmire and Minshall investigated, held hearings and introduced legislation to compel Defense Department auditing of contracts.

The department felt the lash of criticism from all these sources following the start of publication of Watzman's stories in April. The department responded by proposing new rules to be followed by those who seek defense contracts. The contractors, in addition to submitting required "truth" declarations that prices are based on accurate, complete and current information, also would be required to substantiate the statement with data and documentation.

Later the department announced it had set up truth-in-negotiating briefings for its procurement personnel across the country. In cheering the move, this newspaper at that time said the department had still more to do "if the public is to be convinced that the Truth in Negotiating Act is being fully enforced." The Plain Dealer suggested that the Pentagon "begin by finding on its own some of the costly errors which in the past have been found only by the General Accounting Office."

Now the way is open for this to be done. The Defense Department's latest announcement declares that future procurement contracts will contain a provision granting department auditors the right to examine contractor records after work is peformed.

This acknowledgment by the Pentagon of major responsibility for detecting overpricing and taking action to secure refunds is long overdue but nonetheless welcome.

Whether performance lives up to promise in this area of duty will be noted carefully by The Plain Dealer and others in time to come.

THE U.S. ROLE IN ASIA

Mr. McGEE. Mr. President, the issue at stake in Vietnam is not just the future of Vietnam. It is much larger than that. It is the course of Asian history and, in fact, of human history. Already underway, as Joseph Alsop wrote in his column this morning, is a shift of the main focus of the world's wealth and productive power from West to East, from Europe to Asia. Japan, as he writes, gives us the most startling example of this shift.

This projection of the Asian future is intensely relevant to the American role, which today has us in Vietnam. We occupy a unique position as the land bridge between the two world lakes—the Atlantic on one side of us, and the Pacific on the other. Our vital interests require us to play our allotted part in both oceans, in both hemispheres. To do otherwise is to opt out of history, as Mr. Alsop puts it today in his column, which I have taken from the pages of the Washington

Post, and for which I ask unanimous consent that it be printed in the RECORD.

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

[From the Washington (D.C.) Post, Nov. 1, 1967]

UNITED STATES CAN'T OPT OUT OF PACIFIC "WORLD LAKE" AND ASIAN ROLE

(By Joseph Alsop)

In Western history, there have been two world lakes. First, over a period of nearly three millennia, there was the Mediterranean. And then, beginning in a small way with Christoper Columbus, there was the Atlantic.

But before this century ends—in short, in hardly more than 30 years—it is quite certain that there will be still another world lake, the Pacific. And it is not at all sure that of the two chief world lakes of the future, the Pacific will not be more important than the Atlantic before very long.

What impends, in other words, is a shift in the main focus of the world's wealth and productive power as vast and probably as unsettling as the shift produced by the industrialization of Western society. "Impends" is really the wrong word, moreover, for this shift of focus is already rather well-advanced, though few people seem to have noticed it, outside the financial community.

For those who are at all alert, Japan, with almost no natural resources, has already shown what the East Asian societies can do with Western industrial techniques, once they have got to work on the problem in deadly earnest. According to World Bank projections of current trends, Japan will be the third industrial power in the world within four years, and will have a per capita income equal to that of Great Britain within eight years.

In under a decade, therefore, Japan is due to have nearly the weight in the world of England and France combined; for the Japanese, of course, are nearly twice as numerous as either the British or the French; and with a per capita income at the approximate Western European level, Japan will have a national income close to double that of any of the transatlantic Western powers.

The same process is already well begun in every East Asian country and center, except in those under Communist control and, of course, in South Vietnam. If and when peace comes, South Vietnam should take off like a rocket, for it is a naturally rich country, and despite the suffering, it has also been greatly enriched by the war.

In China, finally, a very great change is almost certainly on the way. It may come very soon; or it may be delayed a little, until Mao Tse-tung dies at last. When it comes, it will almost certainly take the form of extreme revision. And a China taking the Japanese road, with all China's huge mass and all her resources so superior to Japan's, will be what the late Arthur Vandenberg used to call a "vivid contemplation."

To the tiny, eccentric band who have bothered to read East Asian history, none of this will be very surprising. After all, throughout most of recorded history, the principal East Asian societies have been the richest and most powerful on earth. There is nothing to stop them moving towards their former position, once again, as soon as they have mastered the techniques of Western industrialism. And this is precisely what the more advanced are already doing.

It is totally irrelevant to this projection, that even Japan is still maintaining her postwar "low posture" in defense and foreign affairs. Obviously, the Japanese are going to wait until they reach a somewhat greater weight in the world, before they begin to throw their weight about. But use their weight they certainly will, in the end.

This projection of the Asian future is intensely relevant, on the other hand, to the American role in Vietnam. In the rather near future, in fact, the United States is due to occupy a unique position in the world, as the land bridge between the two world lakes. Our vital interests will require us to play our allotted part in both the Atlantic and the Pacific.

In a good many respects, moreover, at any rate in the decades just ahead, the emerging Pacific world lake is due to present more serious and more urgent challenges. We can of course ignore those challenges. To quote the words of General Maxwell Taylor once again, we can try to "go back to Hawaii," thereby seeking to opt out of history.

Opting out of history never works indefinitely. The Laos tried it, for instance, yet history has now come among them, treading with iron foot. Even Iceland, so long immune, is not quite immune to history today. And nothing more dangerous can possibly be imagined, than opting out of history by the richest power on earth—so affluent, so soft externally, so tempting to every imaginable competitor.

The choice in Vietnam was, and is, whether or not to opt out of history with respect to the development of the Pacific world lake. Some would have us do this; but these are people who know nothing of Asia, and do not understand that the Pacific is so soon due to become a primary world lake. Meanwhile our men in Vietnam are fighting, with splendid bravery, for the Pacific interests of all Americans in the future.

DUAL DISTRIBUTION

Mr. BARTLETT. Mr. President, as a member of the Select Committee on Small Business, I have been familiar for some time with a problem small businessmen call dual distribution. A few days ago George Burger, vice president of the National Federation of Independent Business, wrote me a letter on this subject and sent me an article written by a small businessman of some considerable experience in the field about which he writes. I ask unanimous consent that the letter I received from George Burger and the article on "Dual Distribution," be printed in the RECORD.

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

NATIONAL FEDERATION OF INDEPENDENT BUSINESS,
San Mateo, Calif., October 18, 1967.

Hon. E. L. BARTLETT,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR: Let it be understood for the record that whenever I have called on you for help in behalf of the small businessmen of the nation, you have always acted immediately on my request.

A far-seeing small businessman, with a half a century background in his particular industry, I believe, has sent me his views on dual distribution and what it could mean to the future of the independent businessmen of this nation. The writer concurs with the views expressed due primarily to his own experience of over half a century in small business. During this time, I have seen the monopolistic trend carried on and increased by many of the major producers, all tending to destroy small business in no uncertain terms.

While serving in my official capacity with the above Federation, I have seen an increasing number of manufacturers open dual operations. As late as September 20, 1967, it is reported in the press that there are increasing inroads in the clothing industry with manufacturers expanding their retail operations while soliciting the business of independent retailers.

There is also an increasing trend of dual distribution within the chain store operations. One report reached me recently that a large chain is selling a loaf of bread for 15 cents and the independents in that industry are having to pay 17 cents for the same loaf.

To the ever-lasting credit of the Senate Small Business Committee in 1942, whose Chairman at that time was the late James G. Murray of Montana, and also to the credit of the late Senator Robert Wagner, Chairman of the Senate Banking Committee, who acted in no uncertain way by taking the legislative move which prohibited dual distribution in the rubber tire industry and placed restrictive regulations on other major outfits in the handling of tires through their own setups. Unfortunately, it reached the Senate calendar late in 1942 at the end of the Congressional session, and was not acted on. Some of the present members of the Congress will verify this statement as they were members of the above mentioned Committees at that time. I am referring to Senator Allen J. Ellender of Louisiana and Senator John L. McClellan of Arkansas. Bear in mind that this legislative action carried the unanimous approval of both Committees.

It is important to note that the late Senator Taft, then a member of both Committees, remarked at least twice that sooner or later Congress would have to act on dual distribution.

I think, Senator, that you will agree that the following statement of the Federation's member is very true: "All that the small independent businessman wants is a chance of equal opportunity to work hard with long hours, be his own boss and a chance to grow and prosper and not have some larger corporation hireling telling him to do this or that or he will be through. He is not looking for a dole."

It strikes the writer that if there is to be a cure and relief for the small businessmen, both Rules Committees of the Congress should take immediate action and approve the Resolutions (S. Res. 30 and H. Res. 60) which would give legislative authority to the Small Business Committees of Congress. To the credit of the members of the Federation, now totaling 240,946, all individual members in the 50 states including 771 in your State of Alaska, they have repeatedly voted unanimously in favor of legislative authority for the Small Business Committees of Congress.

It is my hope and trust that you will find it convenient to insert this letter and the attached statement in the Appendix of the Record as I believe the contents would be of considerable interest to the members of Congress.

If this trend continues as outlined, the future of small business will be very bleak and will end up in greater and greater numbers of unemployed.

Sincerely yours,

GEORGE J. BURGER,
Vice President.

(Attachment.)

DUAL DISTRIBUTION

Dual Distribution or Verticle Marketing is where a concern manufactures any item and then sells or disposes of it through an owned or controlled outlet. This gives to the manufacturer an almost complete control of the market.

This system is practiced by many concerns but for brevity let us take one industry, the Oil Companies. They produce most of their crude oil, refine it, transport the products, control the wholesale and market the great majority of their products through their own outlets.

The wholesale activities by the Major Oil Companies are conducted through their own sales terminals by salaried employees or by Distributors, Jobbers or Consignees. All prices are controlled by the supplying Company. These prices will vary from one customer to another with the claim that they are only meeting competition. But, who sets the competition? For example, a small contractor has to pay higher prices for his products than does a larger contractor. Yet, the actual cost of delivery is the same to each account. So a small contractor is being penalized for being small. That is more or less the history of why large corporations become larger and the little fellow stays small or is washed out.

Now consider the aspect of the Major Oil Companies controlled retail service stations. The following are just two stations that were recently constructed with cost totals of $240,000 and $300,000. The first station dealer paid an average rental for over one year of $600 per month. The second station was expected to have a dealer pay $850 per month. To date, no dealer has been available. These are by no means isolated cases but rather a common practice that is being done all over the country. Many are constructed for a lower cost and many for a higher cost. However, no loan company, bank or even an individual would consider making a loan of this kind unless a return of 1% per month were to be expected. So, instead of receiving a return of $2400 and $3000 per month, the company receives a much lower figure. In fact, then the company dealer is receiving a rebate on his rent, a rebate that is not given to a dealer who owns his own station and facilities. Some help is given to the independent dealers but it is a very minor amount and comes nowhere near the amount given to the company dealer. How can any independent compete with such unfair competition?

The independent gasoline dealer has all but disappeared and the few left merely handle gasoline as a convenience to another business. There has come into the market independent chains who purchase the bulk of their supplies from Major Oil Companies and rebrand the product. The prices that they are charged by the companies are far less than the prices charged to their own company dealers which enable the independent dealer to sell at a discount. Companies claim that they can do this because no advertising, credit card, etc. expense is tied in.

The same is not true where the Major Oil Companies sell oil to distributors in carload lots who in turn sell the oil to chain stores at prices that they can retail the oil at the same price as the Company Dealer has to pay if he purchases it from the company direct. Of course, the claim is made that the dealers can also buy in carload lots. But, there is not one dealer in a thousand who has the room or money to handle such a purchase and they will not permit one dealer to buy and distribute to other dealers.

And yet, the Major Oil Companies keep on building more and larger outlets so that it has come to the point of seeing which company can construct the greatest number of stations. Of course, no one company could stop building or they would be out of the market.

Who takes care of all the tremendous losses that are made by the erection of thousands of new stations? Are they written off as losses for tax deductions? If so, the Government loses or the price of gas goes up and in either case, the consumer pays the bill.

If Dual Marketing were prohibited, would not the oil companies sell *exactly the same amount of petroleum products*? Why permit the building of more and more outlets thereby increasing the losses that are being presently saddled onto the consumer? And remember, we are thinking of the savings to millions of consumers, not just a comparatively few large corporations.

A similar situation exists with the tire companies who place their stores in all good sized communities, sell at wholesale to other dealers, then go into direct competition with these dealers by selling at retail.

In a communication from Mr. George J. Burger, Vice President of the National Federation of Independent Business, he states that he has been trying to eliminate this unfair competition since the year 1941.

The Major Oil Companies are marketing today as they did 50 years ago. If their outlets were eliminated by abolition of Dual Marketing, then we would have larger outlets handling several brands of products and operated in conjunction with lube bays, tire recap shop, tuneup, washracks, etc. Is not that the modern way? There even could be chains of these outlets but they would be operated by small independents. And again, the Major Oil Companies would still sell the same amount of product.

It is reported that in California there is an average of 2,000 vacant stations and still each company keeps on building more and more of them. Would it not seem rather silly if one of the big grocery concerns would lock up and establish a lot of little stores on every other corner and each store only sell one brand of coffee, one of soft drinks, one of canned goods, etc. But, that is what the oil companies are doing.

It is reported that the dealer turnover in retail outlets runs from 30% to 45% each year. And, a good proportion of these dealers lose their investment and leave broke.

Our Congressmen will vote billions of dollars to give away to a lot of people and countries who only want to have more given them. All that the small independent businessman wants is a chance of an equal opportunity to work hard with long hours, be his own boss and a chance to grow and prosper and not have some larger corporation hireling telling him to do this or that or he will be through. He is not looking for a dole.

At the present time there are two suits pending in California, two in Utah and another brought by a Jobber's Association of Houston, Texas against Major Oil Companies. Note the attached clipping.

We have all seen the consistent erosion of not only the little independent storekeeper but even the gobbling up of the small chains. And, it is taking place in all lines of business, the big ones eating up the smaller ones. And, they say that that is free enterprise.

Take the matter of mergers that have been running rampant this past couple of years where one company will buy up another where there is not the slightest similarity of the manufactured products. Just the case of the big swallowing up the small. As an example, the Montgomery Ward Company purchased a cement pipe manufacturing company 30 days ago.

Why should not the large grocery concern be limited to selling groceries and not just skim the cream off a half dozen other businesses. The same idea could be applied to many other large businesses.

It has been stated many times that it was small business that made our country. So why destroy it now? And, did not all these mammoth concerns that we have today start out as small business? There is enough for everybody if all are given an equal chance.

The Small Business Committees and other government bodies have held hearing after hearing and still nothing concrete has been accomplished that will put small business on an equal footing with large concerns.

We have only touched on a few of the inequalities that are stifling small independent business. There are many more. And so, we beg for help from the Congress and other government bureaus in bringing about a solution. The prohibiting of Dual Marketing, it would seem, would be a good start.

FORMER CEA CHAIRMAN KEYSERLING: HOW TO MAKE PROSPERITY LAST

Mr. PROXMIRE. Mr. President, I invite the attention of the Senate to the second article in the UPI series entitled "How To Make Prosperity Last." Today the current record of economic expansion becomes the longest in the Nation's history, and UPI has chosen this occasion to obtain the views of the present and former Chairman of the Council of Economic Advisers on how to make this longest period of prosperity continue.

Today's article is written by Dr. Leon H. Keyserling, who was the second Chairman of the Council of Economic Advisers, serving from 1949 to 1953. Dr. Keyserling, who is a lawyer as well as an economist, has had a long and distinguished record of public service. Prior to joining the Council of Economic Advisers, he served as General Counsel and Acting Administrator of the U.S. Housing Authority and the Federal Public Housing Authority. Later he became General Counsel of the National Housing Agency. He has also had experience in the legislative branch, serving as legislative assistant to the late Senator Robert F. Wagner. Since 1954, he has held the position of president of the Conference of Economic Progress, in addition to his work as an economic consultant.

The main thrust of Dr. Keyserling's article is that, despite the record stretch of prosperity, the performance of the U.S. economy is still well below its potential. I fully agree with this emphasis on the underutilization of our resources. As he states, capacity utilization is at a low level—actually below the 85 percent figure he uses; unemployment has risen to 4 percent—a level which is particularly unacceptable in view of the much higher rates this means for our disadvantaged groups; and real economic growth is seriously lagging at an annual rate of less than 3 percent.

Dr. Keyserling also stresses the need to set long-range goals for full resource use. I strongly support his call for a better ordering and evaluation of our national priorities.

However, I cannot fully accept his proposals for remedying our present deficiencies. His call for a major reallocation of saving toward public investment could actually slow down our rate of economic growth, if we do not show improvement in our methods of evaluating public projects. Clearly, we need to push forward with investment in poverty programs and other human resource areas which Dr. Keyserling mentions. However, there are many areas of government expenditure which can and should be cut back before we even consider expanding the public sector. We will hardly achieve Dr. Keyserling's objective if we continue to pour money into low return projects, such as many public works projects.

Mr. President, I ask unanimous consent that Dr. Keyserling's stimulating article be printed in the RECORD.

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

HOW TO MAKE PROSPERITY LAST, II—CLOSE GNP GAP, KEYSERLING SAYS

(EDITOR'S NOTE.—The current record-breaking expansion has been "inadequate." That's how the second Chairman of the President's Council of Economic Advisors—1949 to 1953—sizes up the nation's prosperity. Leon H. Keyserling is now a consulting economist, attorney and president of the Conference on Economic Progress in Washington. In the following article written for United Press International, the second of five by council chairmen past and present, he outlines his concern.)

(By Leon H. Keyserling, former Chairman, Council of Economic Advisers)

The "new economics" has claimed excessive credit for the long expansion, this expansion has been inadequate, and needed Keynesian corrective measures have not yet been tried.

We have failed since 1953 to restore reasonably full resource use. Four per cent unemployment means unemployment three times as high among vulnerable groups and ten times as high in some urban areas. Coupling this with 85 per cent plant utilization, and the productivity-gain potential and labor-force participation at reasonably full resource use, I estimate A GNP "GAP" now at an annual rate of about 40 billion dollars. This is intolerable, with heavy international burdens and ominous unmet domestic needs.

KEY POLICY

The key policy of the "new economics" was the 1964 massive tax reduction, which can claim no credit for the inadequate upturn from 1961-1964. From late 1964 to early 1966, the shot-in-the-arm "worked." But 1st quarter 1966-3rd quarter 1967 evidenced stagnation; the real annual economic growth rate fell to 2.7 per cent. Forecasters estimate a dangerously low real growth rate of 3-4 per cent through 1968.

Keynes observed excessive saving for private investment relative to ultimate demand. He urged reallocation of saving toward public investment in priority needs, plus other measures to improve income distribution. Developments during the eleven years prior to 1964 called for this remedy.

But the 1964 tax cuts, while stimulative for a short time, increased the imbalance between private investment and ultimate demand and worsened income distribution. The stagnation-reaction was foreseeable, and we are not yet in the clear.

The anti-Keynesian major emphasis upon tax reduction rather than increased public outlays ignored the core purpose of the Federal budget: to allocate to public priorities an appropriate portion of potential output at reasonably full resource use. Only thereafter can tax policy be rational.

UPSIDE-DOWN APPROACH

The upside-down approach crippled our attack upon poverty, inadequate educational and health services, festering ghettos and decaying cities, obsolescent mass transportation, poisoned airs and water, and deficient natural resource development.

If tax reductions instead of increased priority-spending were "acceptable" in 1964 to stimulate the economy, then massive cuts in priority-spending rather than tax increases are "acceptable" in 1967 to restrain it. Today, the "new economics" is hoisted on its own petard.

Erroneous analysis of inflation damages growth and priorities. Trends 1953–1967 indicate a negative correlation between (A) the rate of economic growth and proximity to full employment and (B) the rate of inflation.

The average annual rate of real economic growth and consumer price increases, respectively, have been: 1955–1958, 0.8 per cent and 2.6 per cent; 1960–1966, 5.0 per cent and 1.6 per cent; 1st quarter 1966–3rd quarter, 2.7 per cent and 3.2 per cent. In any event, to seek minor improvement in price stability by sacrificing growth and priorities is a very bad bargain.

The "new economics" resignation to scandalously rising interest rates is deplorable. The argument that tax increases now, even if economically undesirable, are essential to prevent further credit stringency and still higher interest rates would be true only if the Federal Reserve Board failed again to support as it should the Government's economic policy.

We need to set long-range goals for full resource use, optimum growth, and priorities, and adjust policies to them. This mandate of the Employment Act of 1946 has recently been honored in the breach.

CHAD McCLELLAN'S EFFORTS TO MEET UNEMPLOYMENT IN LOS ANGELES

Mr. KUCHEL. Mr. President, I long have contended that the vast resources of private enterprise must be used in meeting the growing problem of unemployment in this Nation. In July of this year, I coauthored a proposal—S. 2088—to provide incentives for the creation by private enterprise of jobs for the residents of urban poverty areas. The fact that this approach can work has been proven over and over again.

In Los Angeles, following the tragic riots of 1965, a distinguished American, Mr. Chad McClellan, a former Assistant Secretary of Commerce in the Eisenhower administration and a longtime Los Angeles business leader, took charge of a community effort to line up jobs for the chronically unemployed Negroes from the riot area. His efforts to open new jobs for Negroes and to make job training and placement programs mesh with the needs of local employers have attracted widespread attention.

In an article published in today's Wall Street Journal, the outstanding efforts of Mr. McClellan in this area are clearly summarized. I believe his work can serve as an example to the rest of the Nation of what can be accomplished when the initiative and enterprise of the American people are put to the task of improving our society.

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

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

PRIVATE POVERTY WAR: A RETIRED BUSINESSMAN PRODS FIRMS TO RECRUIT IN LOS ANGELES GHETTO—CHAD MCCLELLAN, ONCE HEAD OF NAM, GOES TO THE TOP TO CHANGE HIRING POLICIES—BUT SOME QUESTION IMPACT

(By Paul E. Steiger)

LOS ANGELES.—H. C. (Chad) McClellan is probably the only former president of the National Association of Manufacturers to have a framed "thank you" letter from a black nationalist hanging on his study wall.

Mr. McClellan calls the letter one of his "prized posessions." And well he might, for it symbolizes his success in an unlikely retirement endeavor. As befits a former NAM head, Chad McClellan wears conservative pinstriped suits, winces at the word "welfare" and argues forcefully that businessmen should not be asked to sacrifice profits in the name of public service. Yet, at 70, he is making a national name for himself as, of all things, a poverty fighter.

In 1965, while the ashes of buildings that were burned in the Los Angeles Negro riots still smoldered, Mr. McClellan took charge of a community effort to line up jobs for chronically unemployed Negroes from the riot area. He began with an asset few, if any, other poverty fighters can boast: His background as NAM head, Assistant Secretary of Commerce in the Eisenhower Administration and long-time Los Angeles business leader assures him easy entry to the offices of top executives of the city's major employers. McClellan, a millionaire who bought a $10,000 paint company in 1927 and parlayed it into a fortune by 1962, when he sold out, says: "I have a faculty for getting in where the action is and shaking things up a bit."

FRIENDLY PERSUASION

Last spring, for example, he barged in on an old friend, the president of a large Los Angeles manufacturing company, and after a heated argument, persuaded him to hire more than 200 Negroes for jobs on the assembly line. Mr. McClellan says the company's personnel director had refused to recruit Negroes for work on the line because the president, a man of outspoken opinions, had frequently proclaimed them lazy and irresponsible.

Mr. McClellan's efforts to open new jobs for Negroes and to make job training and placement program mesh with the needs of local employers have attracted widespread attention. New York Gov. Nelson Rockefeller has asked Mr. McClellan to make his anti-poverty technique available to urban leaders elsewhere. On a recent visit to Los Angeles, Michigan Gov. George Romney talked at length with Mr. McClellan about the Californian's efforts and about a similar program now starting in Detroit.

California's Gov. Ronald Reagan is urging the creation of programs like Mr. McClellan's in other California communities, and Mr. McClellan recently flew to San Francisco to enlist the support of the chairman of one of the largest corporations on the West Coast. "It took me 45 minutes to convince him that it's not a do-gooder program," says Mr. McClellan. Just an hour after their discussion the executive was sitting at a lunch table with Mr. McClellan, helping to persuade several other captains of San Francisco industry to join in supporting the effort.

Mr. McClellan uses the same basic approach whether he's addressing an assembly of a hundred company presidents or lecturing a single, skeptical personnel chief. "I don't want you to hire anyone because he's black, or because he's from Watts, or because you sympathize with him. That's discrimination, and I oppose it," he tells them. "I want you to do it because it's good business."

CREATING A MARKET

He brandishes statistical surveys, unemployment figures and Government reports while arguing that putting the chronically unemployed to work will create tremendous new purchasing power and help solve the social problems that currently "have us spending more than $400 million a year on welfare in Los Angeles County alone."

The organization Mr. McClellan uses to conduct his private war on poverty is called the Management Council for Merit Employment, Training and Research. "It doesn't actually place, train or recruit anyone—we just stay awfully close to those who do," says Murray Lewis, its executive director. The Management Council consists of Mr. McClellan, who is its unpaid president, Mr. Lewis and three other full-time staff members, three secretaries and a board of directors composed of more than 20 business leaders. It operates on a budget of $90,000 a year, provided mainly by grants from several private foundations.

An independent, nonprofit public service corporation, it was set up by the Los Angeles Chamber of Commerce even as the riots raged. Mr. McClellan agreed to head it be-

cause of a long-standing interest in unemployment problems and because, being a salesman, he "welcomed the challenge."

The effectiveness of Mr. McClellan's efforts to reduce ghetto unemployment is a matter of some dispute. State officials say Negro unemployment in Los Angeles was high before the Management Council started operating and is still high. A Government study of unemployment in nine metropolitan areas, published in August by the Equal Employment Opportunity Commission, showed a recent unemployment rate of 4.4% for all of Los Angeles County but an unemployment rate of 10.7% in Negro ghettos there.

UNCERTAIN IMPACT

Congressman Augustus Hawkins, a Democrat whose district includes much of the riot area, says Mr. McClellan's efforts have had little impact. Stan Myles Jr., a young Negro leader involved in a Federally funded community action program in Watts, says the Management Council so far has aided mainly the ghetto's most employable residents—men between the ages of 21 and 35 who have previous job experience and relatively clean police records "McClellan isn't reaching the hard core yet," says Mr. Myles.

But personnel men from scores of Los Angeles companies currently recruiting workers in the riot area, along with officials managing numerous state and Federal poverty programs, say the Management Council's efforts are indeed paying off. They insist that the McClellan group has greatly speeded the community's attack on chronic unemployment. Frank Cassell, former director of the U.S. Employment Service and now a steel company executive, says: "The kind of work McClellan is doing you just can't buy."

Truman Jacques, supervisor of the state employment center in Watts, declares that "without McClellan, I don't think we would have made much impact at all." To convince unemployed Negroes they had a real chance of landing a job, says Mr. Jacques, Mr. McClellan persuaded dozens of the city's biggest employers to start sending recruiters to the Watts center within a few weeks after the riots.

By going into the ghetto to hire employes, recruiters get a different picture of job applicants, says Mr. Jacques. For example, he says, "An employer says he's interested in men who are honest and dependable, and along comes a guy with a record of three arrests, two convictions and no previous job references—the recruiter's first reaction is obvious. But if he's told the applicant's arrests were for parking tickets he couldn't afford to pay and for a disturbing-the-peace complaint five years ago, he feels a little better—and he's ready to think about hiring the man."

A recruiter who visits the employment center in Watts is asked to flip through selected files of employment application forms and select several job candidates who appear suitable, then return a few days later to interview them. In the meantime, an employment counselor summons the job candidates and coaches them on what the recruiter will expect in the way of appearance and manners during the interview.

"They're told that if they're not ready to live up to those expectations, that's okay. But they're asked not to show up looking wild and spoil it for everyone else," says Mr. Jacques. If all goes well, the returning recruiters frequently hire several applicants on the spot. Once they see their neighbors being signed on by major companies, Mr. Jacques says, other Negroes "can no longer tell themselves it's impossible for them."

PRODDING A PRESIDENT

The Management Council keeps in close touch with the Watts employment center and keeps prodding employers to recruit in the ghetto. Mr. McClellan takes a personal interest in such recruiting efforts. When one company's representatives failed to keep an appointment at the Watts center recently, Mr. McClellan promptly phoned the firm's president to complain. The president had the company's personnel director on the carpet that afternoon, and the next day the recruiters assigned to Watts showed up at the center.

Mr. McClellan goes to the top when he's dealing with Federal officials, too. Last May he visited Vice President Hubert Humphrey, who has been serving as the Administration's top antipoverty troubleshooter, to ask about a planned Federal program designed to pour $7.5 million into Los Angeles for a crash effort to place unskilled Negroes in jobs. Mr. McClellan said he opposed the plan, and Mr. Humphrey put him in touch with Stanley Ruttenberg, an Assistant Secretary of Labor, who is in charge of all Federal manpower programs.

Mr. Ruttenberg flew to Los Angeles to discuss the matter, and Mr. McClellan explained that local businesmen felt the proposed program would pressure them into hiring unqualified people whom they would soon have to fire. Mr. McClellan said that many of those residents of the riot area who possessed the basic skills needed for "entry level" jobs had already been hired, and he warned that pushing too many untrained people into jobs could frustrate both employe and employer. Mr. Ruttenberg agreed and arranged to transfer $1.5 million of the funds allocated for the project to provide additional support for four job training centers in the Los Angeles area.

UNWANTED UPHOLSTERERS

Last winter staffers of Mr. McClellan's Management Council had difficulty finding employers who would agree to hire students graduating from special Federally financed auto upholstery classes in Los Angeles. Phone calls to nearby auto assembly plants disclosed that the auto makers ship in ready-made seats instead of doing upholstery work in local plants. Another phone call, this time to state officials who were administering the auto upholstery classes, led to a sharp cutback in the training. Many of the upholsterers were placed in assembly line jobs at aircraft plants.

Although he insists, "I've got no zeal for public service," Mr. McClellan spends most of his days and many of his nights fighting poverty. He relaxes by growing orchids in two small greenhouses behind his home in San Marino, but he has few other diversions.

His antipoverty efforts aren't confined to finding jobs. In May, he stepped in to assist a community improvement project in Watts. Negro neighborhood groups had planned to paint 200 houses scattered throughout south central Los Angeles and had asked the city's Paint, Varnish and Lacquer Association, a trade group, to help. The paint makers first offered to contribute a total of $200 to the project, but Mr. McClellan persuaded them to provide about $8,000 worth of supplies—900 gallons of paint and 100 brushes—enough to paint 100 houses. He talked the Negro leaders into concentrating their efforts on 100 houses within a square-mile area for maximum impact and persuaded a civic organization to supply 100 shrubs.

This summer he also helped arrange negotiations between the finance officers of 17 major industrial concerns and a committee of Negro bankers who were seeking deposits that would enable them to make loans to riot-area residents for rebuilding projects. The finance officers immediately agreed to deposit more than $400,000, and more has been promised.

Some of Mr. McClellan's critics would like to see more of his efforts directed at projects within the ghetto, including creation of jobs in Watts itself. Says an employment specialist on the staff of a U.S. Senator: "You'll never be able to rehabilitate the area until you start putting jobs back into it, instead of yanking the best people out and placing them in jobs across town."

But Mr. McClellan shrugs off such criticism. Raising his bushy eyebrows high over his frameless spectacles, he smiles and points to the black nationalist's letter praising a particular Management Council project. It hangs between two letters of commendation he received from President Eisenhower for solving a threatened trade crisis with Japan in 1956 and for organizing the 1958 American National Exhibition in Moscow. The letter from the black nationalist reads: "I am not laying claim to any love for you or for any other white people. I am just trying to thank you for a job you did and did exceptionally well. . . ."

DURABLE ORDER DECLINE AGAIN WEAKENS CASE FOR TAX HIKE

Mr. PROXMIRE. Mr. President, once again a leading indicator points down for our economy not up. For the third month in a row durable good orders are down. This is not an isolated indicator. A preponderance of economic statistics that in the past have foreshadowed the condition of business in the country point down and have pointed in the negative direction for several months.

This morning's Washington Post contains an excellent editorial contending that this development and others sharply contradict the administration arguments for a tax increase designed to slow economic activity, to retard economic growth, to diminish the availability of jobs, and to increase the utilization of plant capacity.

I ask unanimous consent that the editorial be printed in the RECORD.

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

DURABLE ORDERS DECLINE

Perhaps the advanced report on new factory orders for durable goods won't shake the faith of the Administration economists who see only an overheated economy in the immediate future. But it should. New orders have declined for the third consecutive month. And this time the onus can't be placed on the Ford strike, that convenient culprit for all the news that doesn't fit the standard forecast.

New orders for durable goods are a reliable leading indicator of business activity. In September the seasonally adjusted total was $22.6 billion, $.8 billion below August and $1.7 billion below June. And what is particularly significant about the September drop is that only half of it can be ascribed to the Ford strike, if indeed that much. The separate estimate for new orders that excludes "transportation equipment"—a broad category that encompasses the automobile industry—indicates a $.4 billion decline in new orders. If the demand for goods and services were about to become excessive, as proponents of higher taxes insist, new orders for durables should now be far in excess of the September 1966 peak of $25.3 billion and orders for machine tools would be rising instead of falling sharply.

When it was announced that the gross national product rose by $15 billion in the third quarter, anonymous Administration economists averred that it would have risen by $17 billion in the absence of the Ford strike. But that estimate of a $2 billion loss is grossly inflated, especially in light of the decline in new orders for durables. Nor should it be assumed, as many press commentators did, that the

Ford strike was the sole cause for the September decline in the industrial production index.

What the behavior of new orders for durables suggests is a bumpy economic recovery, one that will fall far short of adding $20 billion a quarter to the GNP, the figure used by a member of the Council of Economic Advisers in plumping for higher taxes. The expansion will continue, but at a more moderate pace. And if there is a forecast to be made at this juncture, it is that those forecasters who were predicting a boom with confidence will soon begin to retreat from an exposed position.

A DEGREE OF CREDIBILITY

Mr. PERCY. Mr. President, Mr. Andrew Heiskell, chairman of the board of Time, Inc., and cochairman of the Urban Coalition, has made a presentation on the responsibility of the private sector to involve itself in our urban problems which is exceptional for its clear and balanced approach to a subject which is noted for its complexity.

In a speech before the Magazine Publishers Association, Inc., Mr. Heiskell presented some meaningful actions the more affluent members of our society may take, rather than only an uneasy escape to suburbia. This follows the hard logic that unless we find some means to attack the causes of civil unrest our entire society faces erosion. Mr. Heiskell says:

> We obviously can't rebuild the cities in the short haul, but we can, by being serious, establish a degree of credibility that will give us the time to do the other jobs.

Recognizing that one important cause for the civil disturbances which have plagued our Nation is the deeply rooted fear of the poverty stricken that they are forgotten members of a wealthy society, Mr. Heiskell sets forth provocative proposals for business and labor which will demonstrate their willingness to work together to understand and attack the problems of the poor. I hope that each Member of this body will find Mr. Heiskell's thoughts as challenging and thought provoking as did I. I echo Mr. Heiskell's sentiments that we do possess the resources to solve our problems. Let us find the will and the way to do so.

I ask unanimous consent that Mr. Heiskell's address be printed in the RECORD.

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

THE CITY AT BAY

(An address by Andrew Heiskell, Chairman of the Board of Directors, Time, Inc., to the Magazine Publishers Association, New York City, September 19, 1967)

I was reflecting on what I should say here today and came up with two rather discouraging conclusions. My first thought was that you know a lot about the cities and of their problems and, therefore, why should you have someone get up and tell you that which you already know? However, if it is true that you know it, then I may well have the right to ask you how come the cities are in that bad shape?

My second discouraging conclusion was that you didn't know very much about the cities, and, if that is true, then we've got a severe problem because it's later than you think. We need to know. We don't have much time.

Suddenly all of us have a feeling, an uncomfortable feeling, about the cities that I guess all of us here are living in, except for those of us who live in the suburbs and think that we are escaping the cities—not for long. Suddenly we realize that there is something that must be done, and we don't know what it is and how to do it.

And indeed we are right, because the cities have become unmanageable, and it's going to be up to all of us to figure out how we can get the cities under control once again. You know the reasons they're unmanageable. By and large the very management structure of the cities is obsolete, the communications are poor. Just think of New York City! Unless you've been raped, or your house is burning down, you don't know where to go. The only place you can go is to City Hall. Who in Bedford-Stuyvesant or Harlem is going to go to City Hall? It's farther than San Francisco for them.

The cities are unmanageable because most of us, and the many millions of others, have over the course of the years decided that the managing of the city was none of our responsibility. In the old days, in the small towns, every individual had a concern for his town; had an understanding for his town, and, indeed, most people saw the problem from the same vantage point. But today we live in the age of specialization, and specialization is not just something for scientists, or that you can attribute to artists, or to editors, or to advertising salesmen. Specialization has gone all the way to the top.

Most corporation presidents think of themselves as being quite broad in their views. So do labor leaders. So do mayors. The plain fact is that while they may be generalists in their particular line, they are specialists when it comes to dealing with our urban civilization. They look at it from their vantage point and don't understand the other fellow's vantage point. This, again, is something that cannot continue.

The other and most obvious reason why cities have become unmanageable is, to put it bluntly, that in the last fifteen years five million underprivileged, mostly Negroes, have been driven out of the South and into our cities. I must say it has been a great revenge for the South. But how can the mayor be held responsible for that problem? Is he supposed to be the one and only man who can take care of it? Are the city finances going to be adequate to take care of a problem that far exceeds the size and grasp of the city's management and of its finances? And, by the way, to the five million you should add four million of Spanish descent who have also moved into our big cities, all into the cores.

I've been in this field for quite a few years. Until recently I took the attitude that if we all worked very hard in 25 years we could change the tide. I was expressing this view a month or so ago to our editor-in-chief, Hedley Donovan, as we were talking about what had happened in the cities. Donovan said, "What do you mean, 25 years?"

I looked a little baffled. He said, "Society will not take it for more than three to five years." I reflected on this, and it's true. You cannot have the rioting in city after city every summer without very shortly finding that the entire machine of government starts to erode.

It has started to erode. Small example: when the telephone repairman refuses to go into certain areas without a guard—in effect, another repairman, but he's still a guard. You've seen the firemen in many of the cities this summer having to be protected by the police. This is not something that can go on. It will not be allowed to go on, and you know what the alternatives are. Either we solve the problem, or you will start a wave of repression that all of us here will live to regret.

But, obviously, you can't do the whole job in three to five years. Well, what can we do? I believe most importantly what we can do, if we really try, is to try to achieve a degree of credibility that is now nonexistent. They—the underprivileged—do not believe that we're serious. Until they do believe that we're serious we're going to have trouble. We obviously can't rebuild the cities in the short haul, but we can, by being serious, establish a degree of credibility that will give us the time to do the other jobs.

First in terms of credibility is to achieve a degree of communication. By and large the gap between the underprivileged and those of us here, and the others like us, has broadened just as the gap between the underprivileged nations and the developed nations has broadened. It can be done. We've seen the examples.

The other day I went up to visit the Dirty Dozen—that's what they call themselves. They work three blocks, 110th to 112th Streets in Harlem. Because we were able to collect some free money from corporations this summer for the summer Youth Program in New York, we were able to set up some Youth Councils. This group, the Dirty Dozen—very few of them have graduated from high school, several are dope fiends, most of them have juvenile or jail records—have done a job in those three blocks so that you know there will not be trouble there. They have learned to deal with the police and the police with them. The police in that area no longer haul in juvenile delinquents to the precinct or the courthouse where they'll get a record. They take them to the storefront where our Dirty Dozen work them over a bit, get their parents in, talk to them—talk to them in their terms.

And one of the things we've got to learn is to talk in their terms. Their values are different. They aren't going to adapt to ours overnight. We're going to have to adapt to theirs. We're going to have to learn to talk the right language.

We're going to have to learn to understand, and to rid ourselves of the many prejudices that we don't even know we have within us. Let me quote from Whitney Young, from what he said at the meeting of the Urban Coalition.

"The tasks that you take on will not be easy. The numbers of the oppressors continue to mount, strangely enough, among those who themselves are but one generation removed from welfare, who are the most callous, the most indifferent, the most unsympathetic to the plight of those who have been left behind. What is needed here is leadership. Our big enemy is still silence and indifference and apathy.

"One of my colleagues in the Urban League, Bill Burry, said, Maybe we need a new cliche. Law and order may not be what we're talking about at all and may be a completely unrealistic concept. Hitler managed to bring about the greatest order known to men with his Storm Troopers and his Gestapo. After having accomplished that feat in bringing about order, he proceeded to use it to exterminate six million Jews.

"We are not after order. We are after justice; it is law and justice. Without justice we neither will have, nor do we deserve, order. If we can but bring ourselves to be aroused about the inciting material and climate found in our company as we are with the inciters, then we need not worry about the inciters."

Mr. Young continues: "Rap Brown did not cause unemployment in the country. Rap Brown did not put Negroes in ghettos. Rap Brown did not perpetuate upon Negroes inferior education. This was done by other people in the society, and it is to the other people that we must look rather than seek the excuses of the excesses of a handful of people found among Negroes.

"If white America, with all of its power—Army, Navy, Air Force and all the important offices in the country—have not been able

to suppress the crackpots among the white society—the Klan and all the other people—how do you expect us with limited power and no resources to eliminate any crackpots from our midst?"

Says Whitney Young: "I insist that the Negro has as much right to have his extremists as anybody else. If some of you are getting upset looking at Negroes who are acting ugly, I submit to you I have been long upset looking at white people acting ugly. It is criminal to loot, to snipe. It is criminal to riot. But it is equally criminal not to hire a man because of his color, not to let him live in your neighborhood."

Can we do it? We have the means. The only question is whether we have the will. And on that, I'd like to give you one more quote. U Thant in a speech recently said: "The truth, the central, stupendous truth about developed countries today is that they can have, in anything but the shortest run, the kind and scale of resources they decide to have. It is no longer resources that limit decisions. It is the decision that makes the resources. This is a fundamental revolutionary change, perhaps the most revolutionary mankind has ever known."

The will, the decision. That's what we must achieve.

Now let's talk a minute about priorities. We spent a lot of time thinking about it and it's become perfectly clear that the first priority is jobs, jobs for those that most of us would say are not capable of working for our companies. So that's a pretty tough order. But we're going to have to break down the standards that we have, the rules about jobs, break down the jobs so that we can hire those who just have to have jobs.

Secondly, we are to go after education. I mentioned the difference in values. One of the boys in the Dirty Dozen said to me the other day, "Look, this is the picture. They show a 5-year old here and they say, 'All right, point out Daddy,' and the child says, 'There's no Daddy.'" Well, what there is, is a man in nicely creased pants, jacket, tie, hat, carrying a briefcase. To those children this is not Daddy. We have to learn to adapt to the values that exist.

Finally, we have to go after housing, but that's a long, long way ahead. We can do it but we're going to do it over the years.

Let me just address myself for a minute to the practical steps. I would suggest, urgently suggest, that every corporation would consider hiring for every 100 men on its force one man who clearly meets none of the qualifications, none of the usual standards.

I would suggest that having done this for a year—and obviously most companies are going to be hiring more than one—they report on what their problems were, how it can work, what kind of subsidies may be required in order to make it work on a nationwide basis.

I would suggest to the unions that they must open their ranks. Many of them are, many of them are not. I would suggest to the unions that they too should see what they can do on the 1 to 100 ratio in bringing in people who clearly do not fit their standards.

I would suggest to the unions that they have a great possibility in terms of communicating with many of the people whose prejudices are strong. After all, through no fault of the unions, they do have within their membership those who last climbed the ladder out of the depth, and it is unfortunately those who most resist the next group that wants to climb the ladder.

I would suggest to foundations—because money will be needed, not just governmental money; there's need for much free money—that perhaps for the next three years they should set aside one-third of their available money for short-term programs in this field.

Lastly, and most importantly, I would suggest that every city have its own Urban Coalition, because it's only if all the forces work together that these problems can be licked. Working separately they will not be licked.

Working together is going to be very hard for the reason I mentioned earlier—we don't understand each other. But we simply are going to have to learn to understand each other, and work together to solve these problems. And that means many of you.

What can you do here? Well, mostly, what can your editors do? After all, the magazines have spearheaded every major change that has taken place in the country. It is magazines that have dealt with the problems, that have fought them out, that have promoted the causes. So I suggest here that the magazines take this on as they've taken on so many other problems, and see what they can do.

STOP OIL SHALE STEAL

Mr. PROXMIRE. Mr. President, there has been a good deal of public attention given to the issue of oil shale in recent months—I might add, for good reason. Basically what is involved is a tremendous public asset measuring in the trillions of dollars. Although oil shale has not been competitive with oil in the past, the greatly improved prospects for deriving oil from the shale, because of improved technology, and the desirability of adding to reserve, has created a leasing boom. From what I see and hear, the present public policy has given rise to great danger that public assets will be dissipated, and that private speculators will be able to make huge profits at public expense.

An item in today's Wall Street Journal relates that a former Interior Department employee has been quietly acquiring old shale mining claims and is now getting rich from leasing them. He has optioned an outright purchase of 20,000 acres for $40 million. The story goes on to say that about 15 percent of the Nation's shale acreage is privately held, and that possibly as much as 25 percent of the shale is subject to doubt because of clouded mining claims and confusion over leasing. It terms the competition to acquire shale land "fierce."

Mr. President, this highlights the tremendous importance of developing an adequate public policy for the management and development of our oil shale resources. There is absolutely no excuse for the situation that the Wall Street Journal describes. It is up to the Congress to decide how this incredibly valuable asset should be managed.

Tremendous as the problem is, it is but one of many issues involved in the question of our energy resources and our policies respecting them. In the near future, I intend to take up with my associates on the Joint Economic Committee the urgent need for a broad study of our energy resources, their relation to our economy and its growth, and the requirements for a more intelligent and more rational policy for managing these resources. In my opinion, it is one of the crucial public policy questions facing this Nation, and we cannot afford to defer it without substantial loss in terms of our growth and our welfare.

Mr. President, I ask unanimous consent that this article from the Wall Street Journal be placed in the RECORD at this point, together with a lead article from the same paper reporting on the general oil shale situation.

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

[From the Wall Street Journal, Nov. 1, 1967]

WHO GETS THE SHALE?—OIL INDUSTRY AND FOES SQUARE OFF IN BATTLE FOR VAST, RICH FIELDS—GOVERNMENT, WHICH OWNS BEST LAND, SHOULD DEVELOP IT, OPPONENTS OF FIRMS SAY—THE PRIZE: UP TO $3.5 TRILLION

(By James C. Tanner)

GRAND JUNCTION, COLO.—Oil shale, the rock that burns, is generating a red-hot war of words.

The key dispute: Should the energy bonanza locked in the western slope of the Rocky Mountains be tapped by Uncle Sam, possibly through a quasi-public corporation like Comsat, or by private enterprise, chiefly the oil companies?

At stake is the world's largest-known oil deposit worth, according to some estimates, up to $3.5 trillion—more than four times the gross national product of the United States. Technically, oil shale is neither oil nor shale. The "oil" is mined, not pumped, from the "shale," which is actually rock streaked with a coal-like solid hydrocarbon known as kerogen. Through super heat, a liquid with the properties of petroleum can be wrung from kerogen. The synthetic is called shale oil, and it can be refined into gasoline and other fuels.

It has long been known that the craggy cliffs where Colorado, Utah and Wyoming meet hold enormous deposits of kerogen and other minerals. Rocky Mountain Indians and prospectors built fires with the burning rock. It has puzzled and fascinated geologists, speculators—and politicians—for decades.

THE SCRAMBLE IS ON

Oil companies have been generally cool toward shale oil until recently because of the high cost of extracting it. But now, with improved technology promising to lower production costs, the oil companies are scrambling for a share of the shale. The Mideast crisis and other threats to the companies' petroleum production abroad coupled with surging demand and dwindling reserves of conventional oil at home are helping to kindle the firms' interest in the synthetic oil.

The bulk of the 16,000 square miles of shale land, including the richest part, is held by the Federal Government. The oil companies, backed by Western politicians, want to lease this public domain acreage. They also are pressing for tax treatment of shale oil similar to the favored treatment—chiefly the 27.5% depletion allowance granted other oil production.

Without these developments, the oil companies insist, they can't get on with the costly building of a shale oil industry. But they complain bitterly of what they call restrictive Federal policies on shale and procrastination by the Interior Department.

Interior Secretary Stewart Udall is caught in the middle between the oil industry and an equally vociferous group that contends private development of public shale oil could be tantamount of a "giveaway" of a public purse more than rich enough to retire the national debt.

THE OPPOSING FORCES

Key figures in the opposition include economist John Kenneth Galbraith, who, as a member of Mr. Udall's Oil Shale Advisory Board, opposed a leasing policy that would have permitted industry to develop commercial shale oil extraction plants on public lands: Former Democratic Sen. Paul Douglas, the defeated liberal from Illinois who once introduced a bill to reserve all Federal revenue from exploitation of Government shale

for a special fund to pay off the national debt; Morris E. Garnsey, economics professor at the University of Colorado and a spokesman for an "oil shale group" made up of several Colorado lawyers and publishers of some smaller newspapers in the state, and several Congressmen.

Some opponents of private development are raising new questions about old but sensitive issues in the oil industry, including its regulatory practices, tax treatment, pricing patterns, profits and political involvement. And charges are being made—though not proved—that oil companies are conspiring with bureaucrats to "steal" the vast untapped shale oil treasure.

A crusading Frederick, Colo., weekly newspaper editor, J. R. Freeman, has drawn wide publicity with claims that his investigations into alleged shale shenanigans set him up as a target for murder. He and others hint darkly of windfall profits and political intrigue rivaling that of the Teapot Dome scandal, which resulted in the conviction of President Harding's Interior Secretary, Albert Fall, of conspiring to grant favorable leases of Western oil reserves to private interests.

Such charges have sparked Congressional hearings, including one by Senator Philip Hart (D., Mich.) and his Antitrust and Monopoly subcommittee. Mr. Udall himself has cited the Teapot Dome scandal as reason enough for U.S. officials to move cautiously in their handling of public shale lands.

Mr. Udall, however, indicates he wants to see development of shale oil begin. In an effort to get things moving, he proposes a tentative lease-research plan that would open up a small part of the public shale lands for private development. This pleases no one.

Fred L. Hartley, president of Union Oil Co. of California, which began investigating shale oil production in 1920, told a Senate Interior Committee hearing last month that Mr. Udall's proposals "are so drafted that no businessman would be likely to risk his time and money in shale oil if he had any reasonable alternative." On the other hand, Economics Professor Garnsey calls Mr. Udall's proposition "much too generous" to the oil companies.

It is, in fact, impossible to please everyone. No matter what happens, for instance, conservationists probably will be unhappy. They fret that either public or private development of the shale would leave vast residues of ash, spoiling much of the majestic grandeur of the high country and polluting its air and streams.

There are still others who suggest all the controversy is for naught. They argue that development of shale oil has been delayed so long that it may already have lost out in the energy race to Canada's Athabasca Tar Sands and other sources that might ultimately supplant conventional petroleum.

Whether all this is only a tempest in a teapot, or another Teapot Dome, the debate is clouding development of shale oil at a time when there's an increasing air of urgency to such a step. Energy experts say that the U.S. may not be able to meet all its liquid hydrocarbon needs from conventional petroleum in coming years and that synthetic oil from shale or coal must fill the gap.

The U.S. Bureau of Mines estimates that the nation's consumption of petroleum will climb to 18 million barrels a day in 1980 from the current 12 million barrels daily. Charles F. Jones, president of Humble Oil & Refining Co., a subsidiary of Standard Oil Co. (New Jersey), says this increase will require the expansion of U.S. liquid hydrocarbon reserves by 72 billion barrels during the next 14 years. As Mr. Jones sees it, this will be no easy task "as evidenced by the fact that during the last 14 years U.S. reserve additions totaled only 48 billion barrels."

Although oil men envision shale oil as only a supplement to conventional petroleum, there are more than ample reserves of Rocky Mountain kerogen to meet the country's entire fuel needs for generations. The exact amount of recoverable reserves, however, is in dispute.

The Bureau of Mines has calculated shale oil reserves as high as two trillion barrels, an estimate used by public-development proponents in their arguments that such a vast national resource should be reserved for public, not private, gain. Shale experts, however, note that much of the reserves aren't rich enough to bother with and that some of the shale oil is at depths too costly to reach. But it's generally agreed that 100 billion to 500 billion or more barrels of oil could be economically processed from the shale. The latter figure exceeds the world's known petroleum reserves.

NEEDED $6.5 BILLION

The oil companies say a flourishing shale oil industry would require huge investments totaling at least as much as has been spent so far in developing U.S. offshore oil and gas production—around $6.5 billion. To be economic, they say, shale plants would have to be big enough to turn out at least 50,000 barrels of oil a day. The probable cost of each: More than $100 million.

Before an installation of that size can be built, the oil companies contend, much additional research and further improvements in technology are necessary to lower production costs. Although costs are coming down, the oil companies add, shale oil still isn't commercially competitive with other fossil fuels, such as petroleum.

Nonetheless, say the oil companies, private enterprise can best supply both the financing and the technological breakthroughs—but only after sharp changes in bureaucratic attitudes toward shale oil, including full-scale leasing of big blocks of public shale to the highest bidders. "What shale oil needs," Union Oil's Mr. Hartley recently told the Rocky Mountain Oil and Gas Association, "is a substantial investment of time, manpower and money, and the creation of an economic climate equivalent to that provided crude oil."

Holdouts for public (or at least quasi-public) development of shale oil hotly dispute this reasoning. They argue:

Exploration costs, which add much to the expense of conventional petroleum, aren't required for shale oil because the kerogen deposits were found and proved out long ago; shale oil has been produced for years in other countries, including Red China and Russia (the city of Leningrad is heated by fuel from shale); production costs are indeed competitive with other fuels, and the substantial shale acreage in private hands is indication enough that the oil companies already could have begun shale production if they really wanted it.

INCREASING RESEARCH

Actually, there has been spasmodic output of shale oil, in minute quantities, since 1860. A few years ago Union Oil processed some 20,000 barrels of shale oil into gasoline and other products, which were marketed through usual fuel channels. But efforts at widespread production generally have been smothered by lush new finds of less-expensive petroleum.

Even so, oil companies now are stepping up their shale research. Humble Oil & Refining Co., for example, has put $15 million into this field. Six oil companies, including Humble, now are phasing out a $7.2 million research project at a former Bureau of Mines shale oil experimental plant near Rifle, Colo., which was reactivated in 1964.

Companies outside the industry are joining the effort, too. Oil Shale Corp., a New York concern formed just to mine shale, expects to be in commercial production by 1970 with a process it has developed. Union Oil has just leased its former experimental site and shale mine in Colorado to Battelle Development Corp., an affiliate of Battelle Memorial Institute, for use in the institute's program of developing a shale-oil extracting process.

Union also is building a $200 million refinery near Chicago that will be capable of processing 70,000 barrels a day of shale oil. If the shale oil isn't available, Union says, the refinery will accommodate tar-sand oil from Canada.

SHALE OIL BOOM HAS BEGUN FOR FORESIGHTED MR. ERTL

BOULDER, COLO.—Tell Ertl is already getting rich from shale oil, even though the boom has not begun.

Mr. Ertl, a former mining engineer with the Bureau of Mines, has long been convinced of the need for a shale oil industry, and years ago he began acquiring old shale mining claims. He put together two sizable blocks for which he is receiving hefty rentals from oil companies, even though the land isn't being used at present except for research.

Only about 15% of the nation's shale acreage is privately held. There's doubt about another 10% to 25% because of clouded mining claims and confusion over leasing. The rest, including the richest portions, is held by the Government. Thus, oil companies are competing fiercely for rights to the land that is currently available.

Purchase prices for the lands were as low as $30 an acre in recent years. Now the price has zoomed. Mr. Ertl, for example, leases 20,000 acres to Shell Oil Co. and has given the company an option to purchase the claim outright. The sale price: $2,000 an acre, or $40 million.

USE OF DULLES INTERATIONAL AIRPORT SHOULD BE INCREASED

Mr. BYRD of Virginia. Mr. President, I wish to echo the sentiments expressed in an editorial published yesterday in the Washington Evening Star:

There is no earthly reason why Dulles, a magnificently designed facility, should not serve as an entry and exit point for many more international voyagers.

Dulles was built at tremendous cost to the taxpayers, about $110 million. It has been underutilized while other airports such as the John F. Kennedy in New York have become overcrowded.

I agree with the view expressed by the Washington Evening Star that it is highly desirable to substantially increase direct overseas flights from Dulles. Simultaneously, more flights should be shifted from National to Dulles, thus relieving the very congested conditions at National Airport.

Last Friday, for example, the plane on which I was a passenger sat on the runway for an hour and 10 minutes waiting to take off. The inconvenience is not the dominant factor; the main concern, as I see it, is the increasing opportunity for accidents when the conditions become so congested as they have become at National.

The airport was designed for 4 million passengers and is now handling approximately 10 million annually.

Dulles International Airport, on the other hand, handles not many more than 1 million passengers per year.

I ask unanimous consent that the editorial be printed in the RECORD.

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

COMING OF AGE

The news that Dulles International Airport will be substantially increasing its direct overseas flights next year, helping travelers avoid the nightmare of stops at John F. Kennedy Airport in New York, is a welcome development.

JFK for too long has enjoyed a near-monopoly as a transit point for airline flights to Europe. The average takeoff and landing delay there is now about 20 minutes, and at peak traffic periods is much longer. Federal Aviation Agency officials say the average delay will double next year.

There is no earthly reason why Dulles, a magnificently designed facility, should not serve as an entry and exit point for many more international voyagers. The airport in fact is frequently used now on an emergency basis by Kennedy-bound planes that must refuel due to bad weather over New York.

According to published reports the number of oversea flights planned for the peak season next year at Dulles will show a 38 percent gain over the 1967 figure. At least one airline is also considering routing its overseas freight direct to Dulles to avoid the mess at Kennedy.

Just this month, airlines increased the total of non-stop and direct flights between Dulles and Europe from 34 to 40, and more will be added next April. It's a trend that ought to be encouraged. Not only will this result in greater comfort for international travelers but it will cut down the risk of air collisions over the saturated Kennedy area.

GUIDELINES FOR A CONSTITUTIONAL CONVENTION

Mr. PROXMIRE. Mr. President, last Monday I appeared before the Subcommittee on Separation of Powers of the Committee on the Judiciary to testify on S. 2307, a bill introduced by the Senator from North Carolina [Mr. ERVIN] to provide for orderly procedures in the calling and conduct of a constitutional convention. As I indicated in my testimony, although I am pleased that this issue has been brought out into the open by the Ervin bill, I believe that many changes could be made in the bill to give the people of the 50 States more of a chance to participate in this particular constitutional process.

Today an editorial published in the Washington Post suggests that the Congress should repeal the part of article V of our Constitution which permits the calling of conventions. I agree.

Furthermore, the Post and I, both were explicit in saying, in the words of the editorial, "that each State in such a convention have but one vote determined by a majority of its delegates is a flagrant flouting of democratic principle."

I suggested in my testimony that each State should be represented by a number of delegates equal to its congressional representation and that each of these delegates should receive one vote. Paradoxically, those who have been campaigning for malapportionment under the banner "let the people decide" objected at the hearing to giving the people this kind of power at a convention. The unit vote system simply means that delegates representing 8 percent of the people could determine the type of constitutional amendment or amendments a convention approves.

So that those Senators who are interested in this vital constitutional problem area can have available comments on the Ervin bill, I ask unanimous consent that my testimony and the Post editorial be printed in the RECORD.

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

STATEMENT OF SENATOR WILLIAM PROXMIRE BEFORE THE SUBCOMMITTEE ON SEPARATION OF POWERS OF THE SENATE JUDICIARY COMMITTEE, OCTOBER 30, 1967

Mr. Chairman, I'm delighted to have an opportunity to present to your subcommittee my comments on S. 2307, your bill to provide procedures for calling federal constitutional conventions to propose amendments to the Constitution. First, I want to commend you for introducing legislation on the subject so that we can begin to come to grips with a very delicate problem—one which has been thrust into the spotlight of public interest by efforts to call a constitutional convention on reapportionment.

It is very, very helpful to have before the Congress legislation that can serve as a welcome basis for a discussion of the problem, although I feel your proposal could be improved, as my testimony will indicate.

In my estimation, one of the prime benefits of an orderly procedure for the calling of a constitutional convention should be the notice such a process will provide that state petitions for a constitutional convention on a particular subject are mounting and that a convention is a definite possibility. Thus we would avoid the type of situation that erupted this spring when The New York Times observed with justification regarding the reapportionment issue that "most of official Washington has been caught by surprise because the state legislative actions have been taken with little fanfare. Most Congressional leaders seemed to be unaware that the effort to convene a constitutional convention was so near its goal."

This attempt to quietly gather petitions for a convention in such a way that the states themselves do not realize the significance of their action was highlighted by a statement in the same Times article that "Senator Dirksen had hoped to keep the progress of the campaign quiet until the end of next week in the hope that two more states would have passed resolutions by then. He then planned to make a dramatic announcement that the requirements for convening a constitutional convention had been met." I believe the fact that not a single state had acted since that March 17 date to petition the Congress on the subject of reapportionment is eloquent testimony to the importance of complete disclosure in this area.

Such disclosure should also prevent the kind of summary treatment petitions for a constitutional convention have received by state legislatures in the past. Certainly the people of Illinois would have urged the Illinois legislature to give more consideration to a reapportionment petition that passed the Illinois House after a suspension of the rules and without hearings had the people known that 26 states already had petitioned the Congress on the same subject. As an editorial in the March 16 Chicago American stated "We only wish (the people) had been given a chance to decide, or even to ask questions, while the legislature was suspending the rules and shutting off debate to hustle this resolution through."

I doubt that the Indiana State Senate would have passed a similar resolution, in the words of the Indianapolis Star, because Senators "did not have enough votes to pass their own 'Kizer plan' on congressional redistricting, and wanted badly to send it to the House to make a record" had those state legislators known of the stakes involved. Finally, I believe it would be much more difficult for state legislators to urge adoption of a convention call resolution on the grounds that "the convention would never be held, but that Congress would get some idea of unrest by the people", as a legislator in my state asserted, if disclosure provisions similar to those contained in the Ervin bill were to become law.

However, I think S. 2307 should be amended to require resolutions calling for a constitutional convention to be transmitted to the United States Congress within 10 days after such a resolution is adopted by a state legislature rather than the 60 days provided by the bill. I also believe such resolutions should be numbered before they are transmitted to the "presiding officer of each House of the legislature of every other State" by the President of the Senate and the Speaker of the House so that states considering similar resolutions can be made aware of the number which have already been passed. I would hope that copies could also be made available to members of both Houses of the United States Congress so that they could be made aware of developments in this area. Finally, I support a clarifying amendment to S. 2307 which would require transmission of copies of these resolutions to the States and the U.S. Congress within 10 days after their receipt.

All of these proposed amendments should work no great hardship on the officials involved. On the other hand, they will insure prompt notice to both State and national legislatures of the progress of efforts to call constitutional conventions.

The bill provides that applications for a constitutional convention shall remain effective for six calendar years. In my estimation, this is too long a period of time in today's quickly changing world. Theodore Sorensen, in a speech made earlier this year, suggested that 34 petitions should be received in the same Congress since Congressional initiation of a Constitutional amendment has to take place in the same Congress. While I feel this requirement is a bit stringent in view of the fact that some state legislatures meet only every other year, a four year requirement makes great sense to me. Each and every one of the amendments to our Constitution have been ratified by the states in less than four years. In my estimation, the states should be given no more time than this for calling a constitutional convention.

Once again, I feel that a reference to the reapportionment experience is in order. Most of the states that petitioned Congress on this subject were malapportioned at the time the petitions were passed. Those states are, by and large, now apportioned fairly. It is quite likely that most of these state legislatures would not now support a reapportionment resolution. Thus the petitions are badly outdated.

I think it is very important to make it clear, as your legislation does, Mr. Chairman, that constitutional conventions will be called upon specific subjects and on the basis of state legislative requests "stating the specific nature of the amendment or amendments to be proposed." I hope that it will be possible for your subcommittee to give careful consideration to the precise meaning of this language and, perhaps, go into the matter in a Committee report should S. 2307 or a similar proposal be reported from the Judiciary Committee. As I read this language, for example, it would rule out three of the 32 reapportionment petitions—those three that would limit the jurisdiction of the courts over reapportionment actions. Clearly there is a substantial difference between a constitutional amendment limiting the jurisdiction of the Federal courts and an amendment reserving to the states the right to apportion one House of their legislatures on a basis other than population.

S. 2307 provides that each state shall have one vote in a constitutional convention, although the number of delegates representing a state at the convention would be equivalent to the number of Representatives the

state has in the United States Congress. Each vote shall be cast as the majority of delegates from each state decides. This proposal is in sharp contrast to draft legislation proposed in a House Judiciary Committee staff report back in 1952 which would have given each state a number of votes equal to the number of Senators and Representatives to which the state is entitled in Congress with all votes of a particular state delegation being cast as the majority of the delegation decides.

In my estimation, both of these proposals have serious drawbacks. If each state had one vote in a convention, 26 states representing one-sixth of the population could propose new amendments after 34 states representing 30% of the population had called a convention. This hardly would correspond with the injunction that the proponents of a constitutional convention on reapportionment have used in their campaign that we should "let the people decide." In fact, a very small minority of the people of the United States would be deciding to submit a constitutional amendment to the states. This contrasts sharply with the process that has been followed to date in amending the Constitution—a process in which two-thirds of the House of Representatives, apportioned on a population basis, has to approve any amendment.

On the other hand, the type of bloc-voting approach advocated in the House Staff Report raises all of the many objections that have been discussed in connection with our system for electing Presidents. A state such as New York, which would be entitled to 43 votes at a constitutional convention, could cast all 43 votes for an amendment although 21 members of the delegation opposed the amendment. Of course, a similar objection could also be raised to the approach taken in S. 2307 although only one vote would be at issue.

As an equitable alternative, I propose that each state be permitted a number of delegates at any constitutional convention equivalent to the number of Representatives and Senators the state has in the Congress. However, each delegate, not each state, should have one convention vote. In this way, we would be taking a giant stride toward truly letting the people decide while at the same time recognizing factors other than population by alloting each state a minimum of three votes since each state has at least two Senators and one Representative in the Congress. I also think that it should be made clear that these delegates should be elected by the people of the 50 states, not appointed as S. 2307 would permit. Finally, in my estimation, amendments to the Constitution should be proposed by two-thirds rather than a majority of the votes cast just as two-thirds of both Houses of Congress must approve amendments before they can be submitted to the states.

These, then, are my suggestions for change in S. 2307. They are an attempt to pinpoint some of the problems that go to the heart of the amendatory process. However, they are in no sense meant to be an exhaustive critique of the bill. I'm sure that many additional substantial questions will be raised by the other witnesses testifying on this legislation.

[From the Washington (D.C.) Post, Nov. 1, 1967]

AMENDMENT CONTROVERSY

The Senate Judiciary Subcommittee on the Separation of Powers is quite properly focusing attention on the controversy over how the Constitution may be amended. But it ought not to limit its hearing to the highly dubious Ervin bill intended to set up guidelines for a possible constitutional convention to be called by the states. It would be far more useful to talk about the elimination of this Achilles' heel from the charter of 1787.

The Subcommittee's hearings are timely because 32 states have petitioned Congress to call a constitutional convention to undo the Supreme Court's equal-representation rulings. There are many indications that this movement is already dead because the two additional state petitions needed to make a two-thirds majority are not likely to be forthcoming and some of the existing petitions are likely to be rescinded next year. But if the two additional votes should be obtained Congress would be embarrassed by numerous unanswered questions.

The Constitution says that Congress "shall call a convention for proposing amendments" whenever two-thirds of the states request it. Presumably Congress would decide when and where such a convention should be held. But there is nothing to indicate whether Congress could limit the convention to amendments proposed in the petition, whether the petitions would have to be identical, how the convention would vote and so forth. Senator Ervin's bill is an attempt to answer these questions and thus to avoid a period of chaos if two-thirds of the states should ever agree on such a petition, which they have never succeeded in doing in the past. But at least one provision of his bill—that each state in such a convention have but one vote, determined by the majority of its delegates—is a flagrant flouting of democratic principle. Another of his provisions—that Congress could veto amendments proposed by a convention if it should exceed the scope of the mandate given it by Congress—would raise grave questions of constitutionality.

The best thing to do with this alternative method of proposing amendments, which was sandwiched into the Constitution as an afterthought, would be to repeal it. The regular method of having amendments proposed by two-thirds of the Senate and House and ratified by three-fourths of the states has worked well. There is no occasion for deviation from it. Indeed, the idea of changing the Constitution by action of the states alone, with Congress merely arranging details of the meeting, is an absurdity in the present posture of Federal-state relations. If Congress is not ready to wipe out this constitutional defect, the second best course would be to interpret it so strictly that the states would be loath to try to use it.

MOTOR VEHICLE POLLUTION CONTROLS

Mr. MURPHY. Mr. President, an issue of vital importance to the State of California and, indeed, to the entire country will be debated tomorrow in the House. I refer to the effort being made by the members of the California delegation to preserve our State's authority to set our own, more stringent standards for controlling the fumes from automobiles.

When the Senate on July 18 passed the Air Quality Act of 1967, this far-reaching piece of legislation contained an amendment allowing California an exemption from Federal preemption of the field in setting motor vehicle pollution controls. It was my privilege to offer that amendment, and I am grateful that my colleagues on the Committee on Public Works saw fit to grant my request. They did so in recognition of the unique problems and pioneering efforts of California in the air pollution field. They did so in the knowledge that my State desired an exemption not to escape its responsibilities to its citizens but to go forward in the area of air pollution control.

A substitute amendment replaced the Murphy amendment when the Air Quality Act reached the House Commerce Committee, and it is on the question of replacing my amendment that the debate is occurring in the other legislative body today.

Mr. President, as the Los Angeles Times pointed out in an editorial on this subject this week:

We don't make jokes about our smog anymore. It isn't funny when the president of the County Medical Association reports that 10,000 persons move out of the basin each year because of the air pollution.

Smog is a deadly serious subject in California and particularly in the Los Angeles Basin which has 4 million automobiles spewing out daily 90 percent of the pollution in the air there. I was gratified that my colleagues in the Senate recognized that Californians have been so concerned that our State adopted the first law ever enacted in the United States to control the noxious fumes emanating from cars. As the Los Angeles Times said in its cogent editorial:

The only reason that manufacturers developed and installed such devices is that California authorities told Detroit that no new cars could be sold in the state unless they met minimum emission standards—no more than 275 parts per million (ppm) of hydrocarbon (unburned gasoline) and no more than 1.5 percent carbon monoxide.

California, Mr. President, has blazed a path for the Nation in the field of air pollution control and all our State desires is the authority to continue its progress. This cannot help but benefit the Nation as a whole, as the Senate wisely recognized. In the report of the Senate Public Works Committee on this subject, the committee said:

California will continue to be the testing area for such lower standards and should those efforts to achieve lower emission levels be successful it is expected that the Secretary (of Health, Education and Welfare) will, if required to assure protection of the national health and welfare, give serious consideration to strengthening the Federal standards.

I am not a newcomer to the battle against air pollution. When I was a candidate for the U.S. Senate, an integral part of my platform was air pollution control. As a resident of the Los Angeles area for almost 40 years, I have seen this great city grow to its present size and I witnessed the insidious development of smog until we were forced in self-protection to take action.

When I came to the Senate and was named to the Public Works Committee, I had a chance to participate with the distinguished Senator from Maine [Mr. MUSKIE] in extensive hearings held prior to the writing of the Air Quality Act of 1967. I recall that in 1965 I anticipated the question of Federal preemption and its effect on California's efforts to adopt strong smog-control standards. I pointed out at that time that the subject of Federal preemption should be approached with care since it is obvious that the degree of control needed in one community will vary with the degree of control needed in another.

As the Washington Evening Star pointed out in an editorial Monday:

In the past 14 years the number of motor vehicles in Los Angeles County alone has increased from two million to nearly four

million. Is anybody seriously arguing that the same problem exists here—and the same minimum controls should be applied—as in, say, North Dakota?

Mr. President, I ask unanimous consent that the Los Angeles Times editorial and a similar editorial published in the Washington Evening Star be printed in the RECORD.

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

[From the Los Angeles (Calif.) Times, Oct. 30, 1967]

CONGRESS: THE SHOWDOWN ON SMOG

The people of the Los Angeles Basin are sick of the polluted air they must breathe.

And they are sick of the mealy-mouthed members of Congress who think that auto industry profits are more important than public health.

We don't make jokes about our smog any more. It isn't funny when the president of the County Medical Assn. reports that 10,000 persons move out of the basin each year because of the air pollution.

Biggest source by far of these foul fumes is the automobile. Despite the presence of "control" devices on new cars since 1966, auto emissions now cause an estimated 90% of Los Angeles smog.

The only reason that manufacturers developed and installed such devices is that California authorities told Detroit that no new cars could be sold in the state unless they met minimum emission standards—no more than 275 parts per million (ppm) of hydrocarbon (unburned gasoline) and no more than 1.5% carbon monoxide.

Those requirements are not adequate in Southern California as demonstrated last week in the latest smog siege.

They may never become adequate if the House this week does not beat down an outrageous effort to deny California the right to impose more stringent regulations.

The Senate recognized California's special air pollution problems and its pioneering efforts to control auto emissions. By excluding this state from the federal preemption, the Senate helped to assure that auto makers would continue to be goaded into improving control devices.

In the House Commerce Committee, however, that protection was knocked out by an amendment introduced by Rep. John Dingell (D-Detroit) on behalf of the auto industry.

Dingell recently displayed his ignorance of—as well as contempt for—Southern California in a CBS radio debate with Eric Grant, executive officer of the State Motor Vehicle Pollution Control Board. His amendment, said Dingell, would permit Los Angeles to attend to its other air pollution problems, such as "your incinerators . . . your oil wells, your rice field burnings."

The auto industry should have briefed its Congressman better. Backyard incinerators have been outlawed in the county since 1955. And rice field burnings???

However, we do have more than 4 million motor vehicles, and the gases they emit must be controlled if we are to survive.

Seldom have the California congressional delegation and state and local government officials been so united on an issue. Their anger and concern should be shared by House members from every urban state, for no city is now immune from auto-caused pollution.

Leaders of the auto industry should repudiate the infamous Dingell amendment before it is too late.

The health of millions is far more important than inconveniencing Detroit—and every member of the House will be deciding between profits and pollution control when the amendment is put to a vote.

[From the Washington (D.C.) Evening Star, Oct. 30, 1967]

DETROIT'S END RUN

When Detroit auto makers issued a flurry of press releases a few months ago about their development of electric autos, it looked as if the nation had turned a corner in the air pollution war. Here was evidence that the car manufacturers were really serious about helping clear the air.

But a new legislative battle in Congress has stirred misgivings about the sincerity of the industry in this matter. Representative John D. Dingell of Michigan has sponsored an amendment to an air-pollution bill that would seriously undermine the power of California to set its own, more stringent clean-air standards. The Senate previously gave California this right in an amendment by Senator George Murphy.

The Dingell proposal would give the federal government the final say on whether California could have stricter standards for auto exhausts than those for the rest of the country. According to press reports, the Michigan lawmaker's friends in Detroit want to avoid "leap-frogging," that is, a race between the state and the government to see who could tighten standards more.

It's not difficult to see what's behind this amendment. Dingell openly admits the auto industry approached him with the basic idea for the legislation. Evidently Detroit thinks California is overly zealous in battling air pollution, and fears auto makers may have to improve car exhaust devices even more for the nation. California already has enacted a law that will require cleaner fumes from cars in 1970 than federal standards now require.

Well, if ever there was a clear-cut case for states' rights, this is it. California has pioneered in smog control—and with good reason. The health of her citizens is involved. In the past 14 years the number of motor vehicles in Los Angeles County alone has increased from 2 million to nearly 4 million. The state has nearly 10 million cars registered. Is anybody seriously arguing that the same problem exists here—and the same minimum controls should be applied—as in, say, North Dakota?

The Dingell amendment is a piece of special interest legislation. The California delegation is amply justified in opposing it, and the measure should be opposed by every other House member interested in cleaner air.

THE INFLUENCE OF THE MILITARY-INDUSTRIAL COMPLEX ON SOCIETY

Mr. FULBRGHT. Mr. President, an interesting article entitled "Pentagon: World's Mightiest Economic Power," was published in the Arkansas Gazette on October 15. I recommend the article to Senators, and I hope that it might have the effect of stimulating some fresh thinking about the influence of the military-industrial complex on our society. I ask unanimous consent that it be printed in the RECORD.

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

PENTAGON: WORLD'S MIGHTIEST ECONOMIC POWER

WASHINGTON.—The mightiest concentration of economic power in the world today is the United States Defense Department.

The extent of its sway almost has doubled since 1961, when President Eisenhower cautioned against "the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex."

Senator Thruston B. Morton (Rep., Ky.), recalling Eisenhower's words, said in a recent speech: "I believe that President Johnson was brainwashed by this power center as early as 1961 when, as vice president, he ventured to Saigon on a factfinding mission."

How great is the Defense Department's influence?

It spends each year more money than the combined annual budgets of several medium-sized nations and more than the net annual income of every corporation in America.

The prosperity, if not survival, of hundreds of industries depends on its business.

It has 470 major installations, and more than 6,000 lesser facilities, in the nation, at least one big one in every state except Vermont and West Virginia.

Its land holdings, 27.6 million acres, are larger in area than the state of Tennessee. The value of real property alone is carried on Pentagon ledgers as $38.4 billion, but some of the figures are unrealistic, reflecting land and building costs of a century or more ago when the property was acquired.

About 5,300 cities and towns have Defense Department projects of one kind or another.

Pentagon decisions can transform whole communities, bringing population explosions to towns such as Marietta, Ga., and dooming others, such as Glasgow, Mont., to obscurity.

Nearly one employed American in 10 owes his job to defense spending.

Politically, the Pentagon's economic power has far-reaching effects. A congressman whose district fails to land fat defense contracts, or loses a major installation, may find himself beaten for re-election. Others with better luck become entrenched in office.

The military-industrial complex cropped up again in Senate debate October 5, when critics of the Vietnam war policies complained that it was dominating United States affairs.

Urging Senate conferees to stand firm on cuts in the United States military aid program, Senator Eugene J. McCarthy (Dem., Minn.), said: "All we in the Senate are trying to do is put some kind of limit on the power of the military-industrial complex to control the foreign policy of this nation."

In an interview off the floor, Senator George D. Aiken (Rep., Vt.), said that some senators from states with big defense industries are being prodded to support the war.

"I don't say they don't believe what they're saying," Aiken said, "but some of our boys are under pressure."

While Aiken didn't elaborate on who was feeling the pressure, or from whence it came, he noted that Kentucky's senators, Morton and John Sherman Cooper, are among the war's opponents, and said: "Kentucky doesn't have much defense industry does it?"

Neither does Aiken's Vermont.

EISENHOWER WARNED OF DANGERS

In his farewell presidential address, Eisenhower noted that "we annually spend on military security alone more than the net income of all United States corporations."

"We must never let the weight of this combination endanger our liberties or democratic processes," he said.

"We should take nothing for granted. Only an alert and knowledgeable citizenry can compel the proper meshing of the huge industrial and military machinery of defense with our peaceful methods and goals, so that security and liberty may prosper together."

That was in January 1951.

In fiscal 1961 defense spending totaled $47.494 billion; corporate profits were $27.245 billion.

The curent defense budget has reached $70 billion a year and is soaring. Corporate profits for 1967 are running at the rate of $46.5 billion.

Defense spending is four times that of General Motors, the world's biggest corporation. GM spent $18.774 billion in 1966. It has

127 plants in 18 states, and last year had 745,000 employes on a payroll of $5.66 billion.

Even if peace comes in Vietnam, most authorities believe huge defense spending, with all its implications, will continue.

In recognition of the growing atomic missile threat from Red China, the Johnson administration has ordered a limited $5 billion antimissile defense system built. Events may force its expansion, at perhaps twice the cost.

The probability of new Communist-inspired rebellions throughout the world probably will force the United States to maintain its ground, naval and air strength well into the future.

The Associated Press exploring the impact of Pentagon economic power, analyzed studies, interviewed federal, congressional and industry experts, and examined typical local situations.

The dimensions of that impact can be glimpsed from bare statistics.

Some 22,000 prime contractors and 100,000 subcontractors enjoy defense business. General Motors lists more than 36,000 firms as suppliers, but estimates that 77 per cent have fewer than 100 employes.

A total of 76 industries, ranging from aircraft to X-ray apparatus, is classed as "defense-oriented." Planemakers and shipbuilders derive more than half their annual income from defense contracts.

Defense-generated employment stands near 4.1 million, up about 1 million in two years. Hundreds of thousands more work in retail businesses that draw nourishment from military bases.

The armed forces have swelled to more than 3,380,000 men, up 700,000 in two years.

Thus, together, the number of Americans in uniform plus those in defense-generated employment account for nearly 10 per cent of the entire labor force of 78 million.

SPENDING EFFECTS WORRY MANY

The size of defense spending and its effects worry many, including Senator William Proxmire (Dem., Wis.) who heads the Senate-House Economic Committee.

"There is no significant check on the ability of a president to secure what defense appropriations he wants," Proxmire said recently.

Congressional reductions each year generally amount to no more than 1 or 2 per cent, he said, and only a few votes can be mustered for significant slashes.

Congressmen who are for economy in general will fight budget cuts that affect a military base or a defense contract that means prosperity for their constituents. These congressmen also are vulnerable to political pressure from administration officials on other legislation.

Aides of several congressmen whose districts have lost bases in Pentagon money-savings drives claimed the administration made no effort to win their votes on legislation as the price of saving those bases.

"If something like that had happened, we would have brought it out in the open immediately," one Republican said.

ALASKA TYPIFIES IMPORTANCE OF BASE

The importance of military bases as an employer was underscored last year by the Pentagon's Economic Impact Studies Division.

In Alaska, with 11 major bases, 8,800 of 90,400 Alaskans in the labor force—nearly 1 in 10—held jobs related to defense activities.

California has 71 major military installations, more than twice as many as any other state, and is an aircraft industry center. Out of 7.5 million California workers, 405,000 were employed in "defense-generated" jobs.

Government economists found that 66 per cent of nearly $37.4 billion in awards in fiscal 1967 were concentrated in 10 states.

California had almost $6.7 billion, or 17.9 per cent. Ranked next were: Texas $3.5 billion, or 9.5 per cent; New York $3.3 billion, or 8.7 per cent; Missouri $2.3 billion, or 6.1 per cent; Connecticut $1.9 billion, or 5.2 per cent.

Pennsylvania $1.65 billion, or 4.4 per cent; Ohio $1.6 billion, or 4.3 per cent; Massachusetts $1.4 billion, or 3.8 per cent; New Jersey $1.2 billion, or 3.3 per cent, and Georgia $1.15 billion, or 3.1 per cent.

DEFENSE IS LIFE OF SOME INDUSTRIES

Defense business is the life-blood of several key industries. For example, the 62 firms in the aerospace field anticipate $26 billion in sales this year. Military business accounts for $15 billion, or 58 per cent. Analysts estimate that 57 per cent of the aerospace industry's 763,000 employes were involved in military contracts in 1965, the last year it was checked.

The electronics and communications industry reaped sales of nearly $20.3 billion last year, or about 41 per cent from defense contracts. In 1965, 22.6 per cent of the industry's 1,087,500 employes were engaged in military production.

The 21 biggest companies in the shipbuilding and ship repair industry had $1.75 billion in Navy vessels and only $543 million in commercial ships under construction at the start of this year, a military margin of better than 3 to 1.

The $625 million in ship repair and conversion last year was split nearly equally between naval and commerical business. Employment stood at 123,300 in 1965, with 54.1 per cent assigned to defense orders.

A CLOSER LOOK AT SPECIFIC AREA

These figures sketch the big picture, but tend to numb comprehension. When the Pentagon's economic influence on a specific area is examined the picture comes into focus.

Take Marietta, for instance.

Lockheed-Georgia Co., a division of Lockheed Aircraft Corporation, and the largest single industrial firm in the Southeast, is in Marietta.

Ninety per cent of Lockheed-Georgia's business is for defense, including a $1.4 billion contract to develop and build the world's biggest plane, the C–5A military transport.

Lockheed-Georgia pays $200 million a year to 26,000 workers who are drawn from 55 of Georgia's 159 counties. A large part of them live in Marietta and surrounding Cobb County.

Leonard A. Gilbert, executive director of the Marietta Chamber of Commerce, said Lockheed "has made an urban county out of Cobb County."

The impact of Lockheed-Georgia on Marietta's economy "is almost immeasurable," said Mayor Howard Atherton. Last year, the company spent $113 million with about 1,720 suppliers, many of them small businesses and many of them in Georgia.

Now consider the agony of Glasgow, Mont., population about 5,000, that is soon to lose a $100 million Strategic Air Command base, finished only seven years ago.

The Pentagon's increasing reliance on missiles, rather than bombers, led to the decision to close Glasgow Air Force Base.

It was announced by Defense Secretary Robert S. McNamara November 19, 1964.

Since then, leaders of the community and the state have been fighting to reverse that decision, but shutdown still is scheduled for next July 1. About 3,500 Air Force men and 4,300 of their dependents will depart.

Governor Tim Babcock told the Senate Armed Services Committee, "The closing of the base will have a devastating economic effect" on Glasgow and its surrounding area.

"This jerks a $10 million payroll out and turns the entire economy of the town back to agriculture," says an associate of Representative James F. Battin (Rep., Mont.).

Base real estate is for sale but Battin's staff specialist said nobody wants to buy it—out in the middle of the wheat plain, 200 miles from the nearest city of at least 50,000. That real estate included 1,427 units of brand new family housing, financed by private mortgages that will have seven years to run after the base is closed.

Recognizing that base shutdowns often wrench a community's stability, McNamara has assigned a special "Office of Economic Adjustment" to help affected areas shift to new industries. He also has offered displaced civil service workers new federal jobs elsewhere.

M'NAMARA STANDS BY HIS DECISIONS

At the same time he has refused to back off from plans to close or reduce operations at hundreds of installations tabbed by his experts as obsolete or unneeded.

Delegation after delegation has visited his Pentagon office to try and change his mind, but McNamara once said his decisions were "absolutely, unequivocally, without qualification irrevocable," and he has made them stick in all but three of 865 cases.

Those setbacks came when the Navy bowed to what it called "congressional concern" and agreed to forego a reduction of naval districts from 11 to eight.

In a cost reduction report to President Johnson last July, McNamara claimed that his base closing program had yielded nearly $1.5 billion of what he calls "recurring annual savings."

Some critics have suggested that certain of these savings are of the bookkeeping variety.

They haven't been able to prove it.

Under the Kennedy and Johnson administrations, the Defense Department's economic muscle helped beat back price increases on important metals.

At the peak of President John F. Kennedy's 1962 quarrel with the steel industry over a $6-a-ton price increase, McNamara called a news conference to voice his "concern with the grave and far-reaching consequences that this action might have on the security of the United States." He announced that the armed services would buy their steel as much as possible from companies that had held the price line.

The major steel producers surrendered. They cancelled their price increases.

More than three years later, in November 1965, the Johnson administration moved to roll back price increases by the aluminum and copper industries.

Administration authorities threatened to release 300,000 tons of aluminum from the defense stockpile, and McNamara let it be known that some of it would be transferred directly to defense producers. That would have cost the aluminum industry a significant part of its market. The aluminum producers rescinded the price advances.

A week later, copper producers had to cut back a price increase after McNamara called a night news conference and disclosed intentions to set in motion "the orderly disposal of at least 200,000 tons of copper from the national stockpile."

NOW IT'S PUSHING FOR OPEN HOUSING

The Defense Department is now flexing its economic muscles in a different cause: Open housing for all servicemen, regardless of race.

The technique is to declare off limits to all servicemen any apartment house or trailer court that refuses to accept Negro servicemen. This could be a disaster to owners of apartment houses and trailer courts near military bases.

The technique was tried and found effective in Maryland. Persuasion is tried first but if it fails, the iron fist comes quickly.

Those who worry about the military-industrial complex are concerned that close association between military men and defense contractors tend to inflate arms spending, and even may work against hopes for peace.

Proxmire said, "The military-industrial combination continues very largely to write

its own ticket." Basic decisions are made by the military on such questions as new weapons and even with McNamara's skepticism—the Defense secretary "is subject to military influence," he said.

This will surprise many senior military officers who complain that McNamara and his civilian aides make the important decisions, then consult them.

"I don't think there's anything corrupt or malicious in the industrial-military combination," Proxmire said. "But I feel that there is far too little sharp, tough, effective procurement by the Defense Department."

Many large corporations enlist retired generals and admirals for their boards of directors or for executive posts. Officers of lower rank, too, often go into private industry when they retire.

This has given rise to suspicion that some such officers may use their service contacts to promote the interests of their new employers.

Regulations forbid a retired officer from representing "anyone other than the United States in connection with a matter in which the United States is a party or has an interest and in which he participated personally and substantially for the government * * *."

The regulations also say, "He may not, at any time, sell anything to the Department in whose service he holds a retired status."

Some contend these restrictions leave loopholes for influence peddling.

The Pentagon rejected a request for the names of general and flag officers who have gone into industry since retirement.

It also refused to give the total number of all retired officers from each service who have taken jobs with industry.

"Since the employment status of an individual is a private matter, and a matter of public record only if the individual chooses to make it so, this information with respect to an individual is exempt from disclosure," the Pentagon said.

As to the request for the number of retired officers in industry, the Defense Department said: "To compile these records would require a search of all officer records, an expensive and time-consuming task."

Few retired officers, however, make any secret of their business affiliations.

"YOUNG AMERICANS"—A MOTION PICTURE THAT TELLS WHAT IS RIGHT WITH AMERICA

Mr. MURPHY. Mr. President, the mass media of the United States, in everlasting search of the unique and different, presents a stereotype portrait of the younger generation of Americans. In newspapers, in magazines and on television, the younger generation is presented as a group of unkempt, unsavory, nonconformist rebels overflowing with contempt for their elders and consumed by a hunger for thrills.

Lost in the deluge of articles and pictures about bearded, long-haired beatniks who have "tuned out" the world are the less exciting stories of young men and women who have real contributions to make. I am referring to the young girls who perform volunteer work in hospitals across this land, the young men who willingly enter the service of their country when the call comes, and the millions upon millions of youngsters who quietly and unspectacularly pursue their daily lives with honor for their parents, their teachers, and their country.

It is refreshing when a segment of the mass media turns its attention to the activities of this overwhelming majority of our young people. I am therefore glad to call attention to a most unusual motion picture that I have seen, one that portrays young people as decent, clean living, and attractive.

This feature picture, "Young Americans," was filmed while a group of 36 talented youngsters ranging in age from 17 to 21 toured across the United States a few months ago entertaining audiences of every age group. It is not so much the entertainment presented by this group that so impressed me, although it is an outstanding musical group in California, as it was the demonstration that a typical young American group is the exact opposite of the antisocial antiestablishment characters they are so often made out to be.

I am informed that this film will be shown extensively overseas, and I am happy that Columbia Pictures, the distributors, have arranged it that way. This means that millions of filmgoers in other lands will have an opportunity to receive a more correct impression of the young people of our country for a change. I believe the impression that will be left by this film will be a good one and important to the image of the United States abroad.

Milton Anderson, a high school music teacher in California, organized the "Young Americans" singing group. The motion picture of a cross-country tour by the organization was produced by Robert Cohn and written and directed by Alex Grasshoff. I commend these men for the film and for attempting something constructive and positive to counteract the distorted image of the youth of our Nation. I am pleased that this is one picture that tells what is right with America for a change.

THE PATRIOTIC DEMONSTRATION IN WAKEFIELD, MASS.

Mr. McINTYRE. Mr. President, a young man named Paul P. Christopher, Jr., created quite a commotion in Wakefield, Mass., last Sunday afternoon. On that day, Paul was 19 years old. He had been a high school dropout. He was just getting started in business. He expected to be drafted next June. Under the circumstances, it would not have been surprising if the young man had been a "beatnik." He might have been wearing a beard, carrying a placard and marching in the front ranks of a peace parade. He might have been protesting against the war in Vietnam and the soldiers who are fighting in it.

But Paul Pasquala Christopher, Jr., was clean cut and clean shaven. He had returned to high school and was now a senior. And it was he who organized last Sunday's massive demonstration which supported our men in Vietnam and the cause for which they fight.

Christopher's demonstration was successful. Fifty thousand people showed up. They carried American flags. They sang patriotic songs. They recited the Pledge of Allegiance. There were cheers, not jeers, for public officials.

The demonstration was also successful in a different way. Many Americans had begun to wonder what had gone wrong with many of our young people. We wondered about the rudeness of students who heckled Secretary of State Rusk at the University of Indiana. We wondered about what other students were thinking who abused their own individual freedoms by riding roughshod over the freedom of those students who wanted to be interviewed by Dow Chemical Co. or the CIA. We have wondered about what seems to be a youthful affinity for dirtiness, for obscenities and for flight from responsibilities. We wondered about the forecasts for more peace marches with greater violence, for more sit-ins at draft boards, more burning of draftcards, more campus protests against military recruiters and more refusals to serve in Vietnam. Yes, many Americans had begun to ask questions about our young people. We had begun to have some doubts.

But in Wakefield last Sunday, there were 50,000 answers to our questions, 50,000 reassurances for our doubts. There were 50,000 young people who proved, somehow, that only a minority of our young people are beatniks and peaceniks—who proved that the great majority of them are clean-cut, patriotic, and courageous. Collectively, our young people have a sense of responsibility.

It was Governor Volpe, of Massachusetts, another native of Wakefield, who paid high tribute to Paul Christopher. He said:

> What a debt of gratitude we owe him. He has given us more inspiration than any American in recent years. This is the kind of rally we should have more often.

Yes, Mr. President, the people of Wakefield were noisy and enthusiastic last Sunday. But there were no attacks upon police or soldiers. There were no assaults, and there was no cursing. Oh, according to the police, there were two injuries: two little old ladies fainted.

But as the Governor said, there should be more rallies like the one Paul P. Christopher, Jr., inspired. And there should be more publicity given to young men like him—the clean-cut, clean-shaven, responsible American young people who not only reassure their elders that they have the capacity to sustain this Nation's greatness—but who also reassure the soldier in Vietnam that the people back home are heart and soul behind him.

The people of Wakefield, Mass., can be rightfully proud of Paul P. Christopher, Jr. And I believe I speak for all Senators when I say that we can be rightfully proud of him, too.

THE INCREASE IN NARCOTIC VIOLATIONS

Mr. MURPHY. Mr. President, recently the California Narcotic Officers' Association in a resolution expressed its alarm at the tremendous increase in narcotic violations and seizures of narcotic contraband in the State of California, and the amount of misinformation about the effects of narcotic drugs, including marihuana, which is being disseminated to the public by misinformed individuals in responsible positions.

Because of the importance of this subject, I ask unanimous consent that the

resolution which was adopted unanimously at the training conference at South Lake Tahoe, Calif., be printed in the RECORD.

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

RESOLUTION ON MARIHUANA BY THE CALIFORNIA NARCOTIC LAW ENFORCEMENT OFFICERS ASSOCIATION

Whereas the problem of the traffic and abuse of marihuana remains serious in many areas of the country, particularly in the State of California;

Whereas there has recently developed a tendency by some persons to minimize the harmful aspects of marihuana and to bring about less effective control of the drug;

Whereas the WHO Committee on Dependence-Producing Drugs has determined that marihuana is capable of producing drug dependence and that harm to society is caused by abuse of the drug;

Whereas there are inestimable dangers inherent in any proposal which would weaken the existing control of marihuana;

Whereas the Federal marihuana controls have been under the jurisdiction of the U.S. Bureau of Narcotics for nearly three decades;

Having in mind that one consultant to the Task Force on Narcotics and Drug Abuse, of the President's Commission on Law Enforcement and Administration of Justice, made recommendations which would result in taking from the U.S. Bureau of Narcotics all enforcement responsibility relating to marihuana;

Recognizing that inadequate control of the illicit marihuana traffic breeds drug dependence, creates enforcement problems, and injures the national welfare; therefore be it

Resolved that the Federal and State laws controlling marihuana be retained in a form which will ensure that illicit traffickers will be severely dealt with, and that possession of marihuana be restricted under criminal penalty to legitimate medical, scientific and industrial use; be it further

Resolved that there shall continue to be close cooperation between the United States Bureau of Narcotics and the California Narcotic Law Enforcement Officers Association to oppose efforts to weaken the marihuana controls; be it further

Resolved that the United States Bureau of Narcotics be commended on its difficult work in combating the illicit marihuana traffic; and be it further

Resolved that the U.S. Bureau of Narcotics retain its enforcement jurisdiction in order to permit a continual effort to bring about an improved condition in the incidence of marihuana abuse.

WILLIS PENHOLLOW,
President, Lieutenant, Long Beach Police Department.
JOHN WARNER,
First Vice President, Agent, California Bureau of Narcotic Enforcement.
JOHN F. KERRIGAN,
Immediate Past President, Inspector of Police, San Francisco.

NECESSITY TO PASS CIVIL RIGHTS BILL AT THIS SESSION

Mr. HART. Mr. President, I ask unanimous consent to have printed in the RECORD editorials published in the New York Times and the Washington Post on October 27, urging prompt passage of the Senate Judiciary Committee-approved bill (H.R. 2516) whose purpose is to offer broad protection against violent, racially motivated interference with activities protected by Federal law or the Constitution.

I am convinced the great majority of the Senate supports the principle of H.R. 2516—that it shall be a Federal crime to intimidate or interfere with anyone, because of his race, color, religion, or national origin and because he is seeking to exercise rights accorded him under the Constitution and laws of this country.

Mr. President, we must act. The Senate must vote yes on H.R. 2516 before Congress adjourns. We are entitled to no vacation until the Senate has had ample opportunity to work its will on H.R. 2516.

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

[From the New York Times, Oct. 27, 1967]

HEADWAY ON CIVIL RIGHTS

With the vote of Senator Scott, Republican of Pennsylvania, who made a dramatic return flight from England, the Senate Judiciary Committee has narrowly approved the bill to make racially motivated violence a Federal crime.

The committee vote restored the provisions of the House bill which a subcommittee, chaired by Senator Ervin, Democrat of North Carolina, had altered. If Mr. Ervin's amendments had been retained, the bill would have dealt with the separate problem of violence in labor disputes. If legislation on that subject is necessary, it should be considered in a separate bill.

The fate of the bill now lies with Senator Dirksen, the minority leader. His opposition last year to the omnibus civil rights bill, largely on account of its open-housing provision, enabled the Southern filibuster to succeed. Senator Dirksen supported the Ervin substitute in committee, but presumably he is not opposed to legislation protecting Negroes and white civil rights workers from murderous intimidation.

The tragic record of unpunished crimes in some Southern states makes the passage of this bill imperative.

[From the Washington Post, Oct. 27, 1967]

ESSENTIAL TO JUSTICE

Only one major issue confronted the Senate Judiciary Committee in its voting on the civil rights bill: should Congress modernize its feeble statute passed nearly a century ago so as to protect the rights of citizens guaranteed by the Constitution but sometimes disregarded by the states. Fortunately, the Committee returned an affirmative answer even though it took an emergency flight of Senator Scott from England to supply the one-vote margin.

Chairman Eastland deceived no one by his desperate attempt to sink the bill in a bog of controversy by adding to it the Administration's open-housing measure. In a more favorable climate the President had sent a civil rights package to Capitol Hill, including the housing provisions. But everyone seems to agree that there is no chance for enactment of the larger package at this session. The Committee had the choice of taking one step at a time or no step at all.

The Committee may not have been wise to eliminate all the amendments the House had added to give the bill an "anti-violence" image. This may make final agreement between the two houses more difficult. There is much to be said, however, for the pleas of the Department of Justice that Federal jurisdiction in law enforcement be restricted to areas where real abuses exist. In any event, these amendments are minor compared to the main thrust of the bill. Its central purpose is to afford Federal protection to citizens in the exercise of their rights to vote, to register, to serve on juries, to hold jobs, to attend schools and to use public accommodations without discrimination on grounds of race, color or religion.

Under this bill hoodlums who murder or maim Negroes or civil rights workers in the process of interfering with their rights could be sent to prison for life. The penalties would be applicable to guilty individuals as well as to state officials acting under color of law, and it would not be necessary to prove a conspiracy. These are straight-forward, essential provisions for enforcement of the law, and the Senate can scarcely fail to approve them if it believes in the concept of even-handed justice.

THAILAND: WHERE WE CAME IN

Mr. HARTKE. Mr. President, there has been little public discussion of our military buildup in Thailand and our policies now operating there. Yet it is reported there are 40,000 of our military personnel in that country, that we are "advising" their 95,000-man army, and that our helicopter pilots have even flown Thai soldiers into action in the northeast against the "insurgents" who reportedly number no more than 1,000 to 1,500.

All of these things, and more, indicate the strong possibility—and an ever-increasing probability—that we are paralleling the earlier stages of the Vietnam venture with what we are doing in Thailand. The consequences of continuing our course there are at the very least fraught with grave danger. We need to be far more aware than we have been of what might be called the spillover of the Vietnam war and our policies there into Thailand as well.

The situation has been analyzed by a group of experts meeting under auspices of the Foreign Policy Roundtable at Washington University in St. Louis, the same group which initiated the study resulting in the now well-known study on "The Politics of Escalation," about which I informed the Senate prior to its publication in a speech of June 30, 1966.

Dr. Robert Buckhout of the university's psychology department has published an article on Thailand, based on the conference last May, which appeared in the October 2 issue of the Nation. The Foreign Policy Roundtable will publish a volume dealing with Thailand late this year or in early spring, focusing on the impact of the U.S. presence in Thailand on the Thai culture, the degree of involvement of the United States in the counterinsurgency program in Thailand and the extent of U.S. commitment to the Thailand Government.

I recommend the careful consideration of Dr. Buckhout's article, reflecting as it does the consensus of experts on Thailand. I therefore ask unanimous consent that it may appear in the RECORD.

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

[From The Nation, Oct. 2, 1967]

THAILAND: WHERE WE CAME IN

(By Robert Buckhout)

(NOTE.—A little noticed column in the St. Louis Post-Dispatch this summer carried the news of an emergency request by the Thailand Government for more helicopters to fight insurgents. The alleged increase in in-

surgent activity may call for further increase of the already large U.S. commitment of up to 40,000 military men. Sensing in such reports from Thailand a possible parallel to Vietnam of about 1961, the Foreign Policy Roundtable at Washington University in St. Louis had called a conference in May of anthropologists, political scientists and journalists, expert in the area to discuss present conditions in Thailand and the effects of our involvement on Thai culture and on the course of foreign policy in Southeast Asia.

(In 1966, the Foreign Policy Roundtable was instrumental in producing Politics of Escalation in Vietnam (Fawcett Premier Books and Beacon Press), an analysis of the relationships between attempts to negotiate a Vietnamese settlement and military escalation by the United States. The proceedings of the present conference will be part of a similar book, designed to acquaint the American people with the complexities of Thailand in the face of growing U.S. involvement there.

(The following article summarizing the content of the conference is by Robert Buckhout of the Department of Psychology, Washington University, who is serving as editor of the forthcoming volume. However, the views expressed here are the author's and do not necessarily reflect those of individual participants or of the Roundtable.)

Long clouded by semi-official secrecy, the extent of the build-up of United States involvement in Thailand is now becoming visible:

Thailand has become a landlocked aircraft carrier for up to 80 per cent of the missions flown by U.S. (and recently Australian) Air Force bombers against targets in North Vietnam and Laos. B-52 bombers now fly out of Thailand on bombing missions.

U.S. troops numbering 40,000 are stationed in Thailand (2,000 were there in 1961), principally in direct support of the air bases and logistical network involved in the bombing program. Military aid to Thailand is publicly acknowledged to be $60 million per year. Supplies, weapons and bases have been positioned in advance to accommodate one 17,000-man U.S. combat division when necessary.

Military advisers, ex-FBI men, CIA personnel, the Green Berets and an unknown portion of the 40,000 U.S. military troops are involved in training Thai military and police forces to cope with alleged Communist-led insurgent movements in Northeastern and Southern Thailand. This counterinsurgency program was until recently under the command of Maj. Gen. Richard G. Stilwell, who directed similar efforts in Vietnam in 1961.

As in Vietnam, it has been recognized that the 95,000-man Thai army was shaped by years of U.S. military assistance into a cumbersome World War II-like army capable of fighting small conventional battles, but unsuited for anti-guerrilla or pacification operations. Efforts to restyle the Thai military meet resistance from the officer ranks, since the large units and conventional arms are politically useful for gaining privileges, promotions and power.

U.S. helicopter pilots have flown Thai soldiers into action in the Northeast pending the training of Thai helicopter pilots.

The United States Information Service (USIS) and other U.S. agencies, are engaged in intensive propaganda efforts through television, radio and mobile information teams in rural areas, to trumpet the virtues of the present Thai Government. This is the political side of the counterinsurgency (COIN) program. The United States Operations Mission (USOM), deploying an annual $42-million economic aid program, pushes the Accelerated Redevelopment Program (ARD) to raise living standards in the rural areas. It hopes thus to reduce grievances before they can be exploited by the insurgents. ARD has replaced the "resettlement" of tribes in the Northeast, a program that was similar in concept to the "strategic hamlets" of Vietnam. Social scientists are conducting studies all over Thailand, the sponsors including the Advanced Research Projects Agency (ARPA), the Stanford-Research Institute, RAND and hardware manufacturers such as Ford-Philco. The CIA program is headed by Peer De Silva, former CIA chief in Saigon.

Part of the many-sided U.S. program is intended to combat "internal Communist aggression." The impoverished Northeast sector, long neglected by Bangkok governments, is regarded as "security sensitive" because of a long history of estrangement, an immediate threat of insurgency—and the location there recently of Air Force bases used to bomb North Vietnam. At the Foreign Policy Roundtable Conference, participants described the Northeastern insurgents as principally Thais who are alienated from the Bangkok government.

The U.S. State Department, in its latest bulletin on the subject, estimates the number of insurgents in the Northeast to be less than 1,000, but growing. They are said to be organized as the Thai Patriotic Front, and to be engaging in propaganda and selective assassination. These charges are debatable, since banditry and rough politics are common in the Northeast. Other official sources state that the insurgents receive aid, training and leadership cadres from North Vietnam, Laos and China. In addition, a clandestine radio, "The Voice of Thailand," is reported to be operating from Southern China.

Since some 40,000 North Vietnamese refugees (along with other nonassimilated groups) live in Northeast Thailand, a remote area of poor farm land and ill-patrolled borders, it is clear that the Bangkok government has little effective control of the region. The insurgents capitalize on years of government neglect and harsh treatment of the peasants.

Similarly, the permeable borders of Southern Thailand aggravate a situation in which a nonassimilated Malay population, with its own Muslim religion, and the remnants of an old Malayan Communist revolutionary group, contribute another security problem. One conferee reported that the Thai Government control of the South is so ineffective that the insurgents allegedly roam about collecting taxes, demanding food and shelter in return for guarantees of safety. As the speaker noted, when Thai control does extend into remote areas, the local population is subject to the same demands from the Thai police.

Past Thai political efforts to assimilate the Malayans have been ineffective, hampered as they are by a language barrier, a history of Thai indifference and harsh treatment, and the occasional outbreak of violent movements seeking independence or union with Malaysia. Military forces sent against the insurgents, in conjunction with Malaysia, have failed even to find the insurgents, whose numbers are estimated variously from a few hundred to 1,500. The conferees tended to believe that the size of the Southern insurgent movement had not increased significantly since 1950. Recent newspaper and magazine stories, on the other hand speak of greatly increased activity and a possible link-up of the Southern and Northeastern insurgencies.

Most of the conferees felt that the effect to date of these insurgencies was relatively small, but that, considering the basic problems confronting Thailand and the nature of its government, they posed a potentially serious threat to the regime. As one speaker pointed out, an insurgency of sufficient scope to topple the Bangkok government might be far beyond the capacities of the dissident elements, but an effort of much smaller magnitude could render large sections of the country ungovernable for a long period of time. A far more immediate threat is the possibility of mortar attacks or sabotage against U.S. air bases. Some doubt was expressed, however, as to the accuracy of reports on the degree of Communist control over the insurgents, it being a suggestion that certain Thai leaders might be exaggerating the Communist menace in order to stimulate more U.S. military assistance.

Since most of the conferees were social scientists, much attention was devoted to describing the social structure of Thailand, the way American influences interact with it and the social disequilibrium that results from the presence of the U.S. military in considerable numbers.

Into a stable economy has come an influx of money, jobs and opportunity related to the military build-up by the U.S. Bangkok is now the rest and recuperation center for Vietnamese GIs who come in at the rate of 700 per day. The adornment of Thai cities with bars for Americans, the increases in prostitution, the attraction of young educated Thais to lucrative jobs with American firms, are conspicuous examples of the social mailaise which, while it did not begin with the arrival of the GIs, is exacerbated by their presence.

As more Americans become advisers at all levels of the Thai bureaucracy (whose officials are appointed by the junta) they become increasingly frustrated by the Thai's lack of administrative coordination and efficiency. While Thais prefer to receive specific technical training, the Americans prefer to suggest better ways of organization. This conflicts with the Thai reluctance to question administrative superiors. The Americans don't want to let Thailand drift into the chaos of Vietnam but, in the opinion of some of the conferees, the size and the disruptive potential of the U.S. economic and military aid program may threaten the very order that such a program was intended to preserve.

One anthropologist described the social order of Thailand as a bundle of fine gold independent chains. The vertical organization of Thailand's social order leads to patterns in which Thais look upward for help from powerful, superior figures—topped by the king. One speaker pointed out that U.S. military aid has made the Pentagon the benefactor of people in the Thai military chain. These men, faithful to their social precepts, accept gratefully the largess of a benefactor. What the benefactor wishes then becomes a dependent's amiable duty to provide, for to question threatens the integrity of the chains. Thus, when Washington proposes to build airfields, to man them with Americans, and to fly bombers for the Vietnamese War, the Thai military could not say no. Another speaker, however, noted that the Thai military might also be motivated to join with the United States by their traditional hostility to the Vietnamese.

An inevitable result of the U.S. military assistance program has been to strengthen the military chains and to corrode the integrity of other chains. Recently, in a move toward "efficiency," the Minister of the Interior and army commander, Gen. Praphat Charusathien, took over the elementary school system from the Ministry of Education. Thus, a military man now controls the civil service division which has the most direct political effect on all segments of the population. General Praphat is reputedly the strong man in the Thai Government whose ascent may reflect a shift in emphasis from political reforms in rural areas to more vigorous military action against insurgents. It was he who issued the recent urgent call for more helicopters.

The uniqueness of Thailand has historically been its nationalism and the conduct of a foreign policy designed to insure its independence. Stability has depended upon the ability of any Thai regime to mobilize nationalistic sentiment. The folk heroes of the Thai population are low-born heroes

who threw off foreign conquerors. One anthropologist emphasized that the U.S. military presence imperils the plausibility of the government's claim to be the sole custodian of Thai national symbols and traditions. The visibility of Americans lends credence to the Peking radio charge that Thailand politicians are lackeys of the United States.

Social change has been occurring in Thailand which will invariably bring about new developments and considerable fluidity in a society whose institutions have been stable and relatively undemanding, at least to the average villager. The anthropologist pointed out that modernization itself produces institutional transformation and social and personal dislocation. In Thailand, for example, it has meant an increase in landlessness among peasants.

However, this same speaker doubted that the social changes taking place, independent of the war in Southeast Asia, would yield directly to plans and predictions derived from U.S. understanding of situations alien to the Thai situation—such as the economic-military redevelopment program in Vietnam. As a Thai spokesman pointed out, the effort in Vietnam involves the virtual building of a nation from scratch. In Thailand, on the contrary, excluding the regional splinter groups, a sense of nationhood has existed for centuries. The particular government in power may now be expected by the people to deliver some of the services it is promising, but, despite the impatience of American advisers, the cohesive, proud, Thai culture does not need, nor is it likely to tolerate, the sort of complete societal remodeling that has been resorted to in Vietnam. Thai nationalism doesn't have to be created—it is there.

The spectacle of a Bangkok government totally committing itself to the foreign policy of the United States may well create conditions which could be exploited by insurgents who remain identified with nationalistic symbols.

The United States is in Thailand at the request of the Thai Government. This familiar phrase is the keystone to a brand of flexible diplomacy which has permitted the United States to escalate its military involvement in Thailand almost without discussion at home. It has also meant a reversal of the 700-year-old Thai "bamboo policy"—that is, bending with the wind.

Both the build-up of U.S. forces, and the details of military and economic assistance programs between the two governments were kept secret for some time. In a little publicized step, Dean Rusk and Foreign Minister Thanat Khoman signed a joint statement on March 6, 1962, reinterpreting and making bilateral the SEATO treaty. This document is now cited as the authority for the U.S. aid program. The agreement came in for considerable discussion at the Foreign Policy Roundtable.

Article 4 of the SEATO treaty declares that the signers (Australia, Great Britain, France, New Zealand, Pakistan, Thailand, the Philippines and the United States) shall by *unanimous agreement* act to meet common danger and immediately report the steps taken to the Security Council of the United Nations. The United States was thus committed under the treaty to the collective defense of member nations, including Thailand.

The Rusk-Khoman agreement effectively amends the SEATO treaty by stipulating that the obligations to "meet the common danger in accordance with its constitutional processes . . . does *not* depend upon the prior agreement of all other parties to the treaty, since this treaty obligation is individual as will as collective." In effect, this means that the United States knows that it could never get the votes of France and Pakistan to intervene in Thailand—especially when the SEATO treaty is interpreted by the Rusk-Khoman agreement as providing "an important basis for U.S. actions to help Thailand meet indirect aggression." The U.S. also pledged itself to preserve the independenec and integrity of Thailand and help it meet Communist subversion.

It need hardly be pointed out that the steps taken to enlarge the U.S. military commitment in Thailand were largely unknown to the Americans (or Thais). Obviously, the U.S. Government has done almost nothing to publicize either the extent or the purpose of the buildup. Just how the independence of Thailand can be preserved by converting the country into a forward base for U.S. strategic policy is unclear. Thai and U.S. Government officials maintain that while the United States is doing the bombing of North Vietnam from Thailand, the Thai military has the main responsibility in the counter-insurgency effort. U.S. forces are acting as *advisers* under standing orders not to engage in combat—so says the official State Department paper.

However, *The New York Times* carried a story on November 26, 1966, that U.S. military advisers were at that time accompanying lower-level Thai units on anti-guerrilla sweeps, as well as flying helicopters.

Thus, as in Vietnam in 1961, U.S. military forces have become exposed as "noncombatants," with an excellent chance of being dragged into a hot war against Thai insurgents if an American were killed or a U.S. helicopter shot down. This potential, coupled with the vague wording of the Rusk-Khoman agreement, suggests that the United States commitment to the Thai military regime is as open-ended as the one woven out of the Eisenhower letter to President Diem in Vietnam.

When a former State Department official, who helped draft the Rusk-Khoman agreement, was asked at the conference to speculate on what the United States would do if the insurgency flared up to where American air bases were being attacked, he asserted that Thai police and armed forces could handle that sort of situation; but he later conceded that we might reach the point, as we did in 1965 in Vietnam, where we would have to make the choice between wading in or pulling out.

But is there still a real choice? The question in the minds of many at the conference was whether we had not already committed ourselves to defend the stability of the Thai military dictatorship against any threat, whether from outside military forces or internal political ones. Had we not, by placing vital military bases in Thailand, defined the *status quo* in terms of the present regime, whether or not it is responsive to the social changes going on in Thailand or to the needs that these changes create for its people? Is there some threshold to be reached, as in Vietnam, where the threat to U.S. interests will cause us to cease trusting the Thais and gradually take over the military and then the political jobs of counter-insurgency? Will we not then be tempted to line up with the strong man who takes a clear anti-Communist stand, regardless of his sensitivities toward the needs of the Thai people?

These are largely unanswerable questions, but as speculations based on the Vietnamese experience they are reasonable. Thailand no longer conducts an independent foreign or even domestic policy. The Thais proudly assert that they could send the Yankees home if they wished. But, would the United States leave, or would it permit anti-U.S. political factions to gain power? Even now, a governmental decree provides penalties and censorship if a paper publishes "any matter defamatory or contemptuous of the nation or Thai people . . . or any matter capable of causing the respect and confidence of foreign countries in regard to Thailand, the Thai Government or Thai people in general to diminish." The United States, despite its desire to support democratic governments, is tied to the defense of yet another dictatorship whose indifference to its rural population has contributed many of the problems that the U.S. is being asked to solve.

But, as one speaker pointed out at the conference (quoting the current ambassador to Thailand, William Martin), U.S. soldiers are being committed to die for the Thailand dictatorship. The depth of this commitment has not yet been discussed openly in the United States.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, has morning business been concluded?

The PRESIDING OFFICER. Is there further morning business? If there is no further morning business, morning business is closed.

REDWOOD NATIONAL PARK

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (S. 2515) to authorize the establishment of the Redwood National Park in the State of California, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate resumed the consideration of the bill.

The PRESIDING OFFICER. Pursuant to the order entered yesterday, the Chair recognizes the senior Senator from Louisiana [Mr. ELLENDER].

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, will the Senator yield to me very briefly, without losing his right to the floor?

Mr. ELLENDER. I yield.

Mr. MANSFIELD. I ask unanimous consent that the vote on the pending amendment take place at 2:30 p.m., instead of the final vote, as was agreed to on yesterday, and that the final vote on the pending business take place immediately afterwards.

The PRESIDING OFFICER. Is there objection?

Mr. MANSFIELD. And I ask unanimous consent that one hour and a half of the time be allocated to the distinguished Senator from Louisiana [Mr. ELLENDER].

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

Mr. MANSFIELD. Mr. President, will the Senator yield further?

Mr. ELLENDER. I yield.

NEGOTIATIONS IN ASIA

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a most interesting article entitled "Negotiate, but What and How?" written by Gerald Griffin and published in the Baltimore Sun for Monday, October 30, 1967.

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

(See exhibit 1.)

Mr. MANSFIELD. Mr. President, this article has to do with a speech made by the distinguished senior Senator from Tennessee [Mr. GORE] on the floor of the Senate last week.

In that speech, the Senator raised very pertinent questions, which I think call for study and, if possible, an answer. He indicated that in his opinion one of the most important ways to seek to bring about a settlement of the situation in Vietnam is through the neutralization of all Southeast Asia, including the former Indochinese states of Laos, Cambodia, the two Vietnams and, I believe, Thailand as well.

I believe it would be splendid if Southeast Asia could have a guaranteed neutrality. It would bring peace and stability to that part of the world, and would relieve some of the nations now involved there of tremendous burdens in the future. I commend to the attention of the Senate for consideration this excellent article by Gerald Griffin which was prompted by the able statement of the Senator from Tennessee. It is worth while.

EXHIBIT 1

[From the Baltimore Sun, Oct. 30, 1967]

NEGOTIATE, BUT WHAT AND HOW?

(By Gerald Griffin)

Senator Gore, of Tennessee, asked a pertinent question last week in a speech about Vietnam. It could be condensed and paraphrased something like this: What would we negotiate?

"The Administration says it wants to negotiate," said Mr. Gore. "But what is there to negotiate if we are truly protecting our vital national interests in South Vietnam? If in fact, we are in mortal peril in Vietnam, what is there to negotiate?

"We are not going to be able to negotiate an American colony in South Vietnam. Moreover, would it really be in our interest to have an American colony in South Vietnam? If that is what the Administration means by negotiations, we might as well forget that and begin sending over more United States troops. And if we are really fighting China, should we negotiate anything at this point?

"There is something that may be negotiable," he went on, getting to the main theme of his Senate speech, "and that is the neutralization of Southeast Asia. So far as I am concerned, this would be in our true national interest. Thus far the Administration does not seem willing to negotiate on this basis."

Senator Gore, who ranks fifth in seniority among the Democrats on the Foreign Relations Committee, is classified as a Washington dove, in that he is one of the major critics of the Johnson Administration's conduct of the war. But he is a man of intelligence and sincerity, and his speech touched upon subjects which concern hawks no less than doves: the way in which negotiations might be encouraged and the way in which an understanding might be sought on long-range objectives in Southeast Asia.

Senator Gore takes exception to two aspects of the Johnson Administration's position: the suggestion that our present stand on the mainland of Asia is essential to our national security as a means of containing Red Chinese expansion; and the implication that North Vietnam can be forced into peace negotiations by increasing military pressure, including bombing in North Vietnam.

Mr. Gore's discussion of the neutralizing of the countries around the edge of China in Southeast Asia was in rather broad terms, but the idea—which has a good deal of support—offers an alternative to the concept of Secretary Rusk, who seems to be thinking of an active sort of containment policy which would be applied to Communist China after the fashion of the policy which was applied to the Soviet Union in the decade after World War II.

It can be argued, however, that the most natural posture for the small countries in Southeast Asia is one of neutrality toward China as well as the Western nations. North Vietnam, helped in its war by both China and Russia, apparently insists on a certain amount of political independence—and probably would make this point clearer if the war were ended. Prince Sihanouk demonstrates that by adroit maneuvering he can retain a neutrality of sorts for Cambodia. Burma seeks a neutral position. Thailand now is on the American side, but it has found benefits in neutrality in the past.

The big question, of course, is whether Communist China would let these countries remain neutral. On the premise that China would rather have them neutral than pro-United States, the proposal by Senator Gore begins to take shape. He feels, along with a lot of other Americans, that North Vietnam will not be forced by increasing military pressure to negotiate a peace settlement. Such a concession by North Vietnam would be pretty close to a surrender.

True negotiations, Mr. Gore notes, involve concessions on both sides. Thus, if the United States would modify its requirement for a land bastion in Southeast Asia, and if North Vietnam would modify its demand for the unification of Vietnam under Hanoi and for the removal of American influence from Southeast Asia, the two sides might have something to negotiate.

A series of negotiations would be necessary, in Mr. Gore's view, starting with essentially local negotiations between the South Vietnamese Government and the National Liberation Front, moving up to the level of South Vietnam and North Vietnam, and at some point reaching the level of Southeast Asia, the big powers and, finally, the United Nations.

"We have stumbled into a morass in Vietnam," said the Senator. "We must decide to negotiate ourselves out of it. We must decide—decide definitely and irrevocably—to negotiate disengagement from Vietnam, not from Asia but from Vietnam, honorably and honestly, which means, in my opinion, on condition that Vietnam be neutralized."

REDWOOD NATIONAL PARK

The Senate resumed the consideration of the bill (S. 2515) to authorize the establishment of the Redwood National Park in the State of California, and for other purposes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. MANSFIELD. Mr. President, if the Senator will yield briefly, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. 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.

The Senator from Louisiana.

Mr. ELLENDER. Mr. President, I regret the delay occasioned by my inability to make this presentation yesterday afternoon. The more I look into the problems involved in this bill, the more I wonder what it is all about.

Mr. STENNIS. Mr. President, may we have order so that Senators can hear the speaker?

The PRESIDING OFFICER. The Senator from Louisiana will suspend until order is restored.

The Senate will be in order.

Mr. ELLENDER. Mr. President, bills similar to this one have been presented to Congress on many occasions. Some of them have included provisions whereby owners of privately held land would be able to trade off some of their land for federally owned national forest lands. Invariably the administrations, past as well as present, have objected to providing for such exchanges, and for good reasons.

As Senators know, the Weeks Act, enacted in 1911, gives to the Department of Agriculture the right to purchase land for additions to our national forests. That law contains a prohibition against the very thing that is sought to be accomplished by this bill.

Mr. President, when the Secretary of the Interior sent to Congress his proposed bill, which was referred in due course to the Committee on Interior and Insular Affairs, to create a Redwood National Park, that bill was in keeping with what Mr. Udall and the administration thought at the time about the exchange of forest lands for private lands in order to create parks, roads, and other facilities.

At no time in the past have any national forest lands been traded for privately owned lands for unrelated purposes. When Mr. Udall sent to Congress his proposed bill, there was no provision in it which would have permitted the exchange of federally owned forest lands for privately owned lands. In a moment I shall read to the Senate a letter from Mr. Udall dated July 13, 1967, which was addressed to the Senator from New Mexico [Mr. ANDERSON].

At this point I remind Senators that I am merely a cosponsor of the pending amendment; Senator ANDERSON had hoped to be here, but he has been unable to do so and it has fallen to me to make the presentation.

Senator ANDERSON inquired of Mr. Udall about this exchange proposal that was sought to be placed in the bill that he sent to the committee early this year. This was Mr. Udall's answer:

President Johnson asked me to reply to your letter about the Redwood National Park proposal in which you urged that we not trade off National Forest lands in an effort to establish a Redwood National Park.

There have been extensive discussions between State officials and representatives of the Bureau of the Budget and the Departments of the Interior and Agriculture. The subject you raise has been thoroughly aired. The position of the Administration is firm against the transfer of National Forest lands to the State of California or to private lumber interests as part of the Redwood National Park transactions. We feel this general principle must be upheld always.

It has been the long-standing position of the Government, and I know you are in agreement with this, that the National Forests should be maintained intact and that when private timberlands are needed by the Federal Government in the public interest,

payment should be in cash and not in kind. I agree with this principle and you need have no concern on this point insofar as the Administration is concerned.

In this connection, you may be interested in the letter of June 22, 1967 to Senator Jackson from the Deputy Director of the Bureau of the Budget which discusses this question in some detail and makes clear the Administration's position.

Mr. President, notwithstanding the language contained in this letter and notwithstanding the position of the administration, the bill that was presented by Mr. Udall was amended so as to provide for an exchange of national forest lands between the Federal Government and private owners of such lands, in direct opposition to the position of Mr. Udall and the administration.

The Bureau of the Budget took the same position. If Senators will look at pages 9 and 10 of the report, they will note there an extended discussion of that proposal by Mr. Hughes of the Bureau of the Budget. It is stated in no uncertain terms that under no conditions should forest lands be exchanged for privately owned lands in order to create the Redwood National Park.

Mr. President, I invite the attention of all Senators to the letter from Secretary Udall and an excerpt from the Bureau of the Budget letter. I ask unanimous consent to have printed at this point in the RECORD the material to which I have referred.

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

THE SECRETARY OF THE INTERIOR,
Washington, July 13, 1967.

HON. CLINTON P. ANDERSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ANDERSON: President Johnson asked me to reply to your letter about the Redwood National Park proposal in which you urged that we not trade off National Forest lands in an effort to establish a Redwood National Park.

There have been extensive discussions between State officials and representatives of the Bureau of the Budget and the Departments of the Interior and Agriculture. The subject you raise has been thoroughly aired. The position of the Administration is firm against the transfer of National Forest lands to the State of California or to private lumber interests as part of the Redwood National Park transactions. We feel this general principle must be upheld always.

It has been the long-standing position of the Government, and I know you are in agreement with this, that the National Forests should be maintained intact and that when private timberlands are needed by the Federal Government in the public interest, payment should be in cash and not in kind. I agree with this principle and you need have no concern on this point insofar as the Administration is concerned.

In this connection, you may be interested in the letter of June 22, 1967 to Senator Jackson from the Deputy Director of the Bureau of the Budget which discusses this question in some detail and makes clear the Administration's position.

Sincerely,

STEWART L. UDALL,
Secretary of the Interior.

EXCERPT FROM BUREAU OF THE BUDGET LETTER

4. *Northern redwood purchase unit.*—This 14,000 acres of redwood-douglas-fir timber just north of the Klamath River is currently being cut under sustained yield management at the rate of about 20 million board feet per year. Timber for this unit has been purchased by a half dozen or more mills, most of which are in Del Norte County. With the additional timber that could be made available from the Six Rivers National Forest, it would be unnecessary to consider any overcutting or transfer of the northern redwood purchase unit in order to maintain local employment in the timber-based industry.

Furthermore, under the Multiple Use-Sustained Yield Act (Public Law 86-517) and the legislative history connected therewith, it is illegal for the Secretary of Agriculture to permit overcutting of the national forest.

The administration will not consider the transfer of fee title of Forest Service land on a barter basis, or as compensation in kind, to the Rellim Redwood Co. This would establish undesirable precedents with respect to compensation in kind to other private timber owners throughout the country if their land is purchased or taken by a Federal agency whether for park or other recreation areas, reservoirs, roads, or whatever purpose.

Such proposals have been made at periodic intervals since 1953. They have been voted down by the House of Representatives. The House Government Operations Committee in 1959 in House Report 293 emphatically rejected the principle stating that it would constitute a "dangerous precedent" and that the fee transfer of national forest timberlands under sustained-yield management to specified timber operators would simply benefit the grantees at the expense of other users.

If the northern redwood purchase unit were transferred in fee or the timber assigned to the Rellim Redwood Co. under a sustained-yield cooperative arrangement, this would deprive the half dozen smaller mills now dependent on the northern redwood purchase unit from their timber supply. Thus, the action would be one of making a single large company whole at the expense of several smaller companies and without adding significantly to local employment.

There has been consistent and strong opposition to the principle involved since it was first proposed 14 years ago by the Congress, the executive agencies, and the Bureau of Budget to proposals for payment in kind to achieve Federal conservation projects.

The administration sees no reason an exception should be made to principle or precedent in the present instance, especially in view of the additional timber that is being made available from the Six Rivers National Forest and the other benefits that would accrue to the county—employment and dollarwise—as outlined in this letter.

The northern redwood purchase unit now returns to Del Norte County $150,000 to $200,000 a year of revenues in lieu of taxes.

In summary, considering both the Six Rivers National Forest and the northern redwood purchase unit, the administration is opposed to trading national forest land and timber to the Rellim Redwood Co. It is apparent, furthermore, that the purchase unit can continue to operate as it has and that additional timber can be made available from the Six Rivers National Forest to more than offset the reduction in the Rellim operations.

Mr. ELLENDER. Mr. President, I cannot understand why the committee has included this language in the pending bill and still contends that Mr. Udall supports that position, particularly in view of the letter which I have just had made part of the RECORD.

Mr. President, the lands to be exchanged under the pending bill in order to create a Redwood National Park are lands that were acquired by the Government under the Weeks Act.

Section 11 of the Weeks Act reads:

That, subject to the provision of the last preceding section, the lands acquired under this Act shall be permanently reserved, held, and administered as national forest lands under the provisions of section 24 of the Act approved March 3rd, 1891.

The law accents the words "permanently reserved" and "held." Not temporarily, but permanently.

Mr. President, we have here a large tract of land consisting of some 14,500 acres, land that was acquired under the Weeks Act by the Federal Government acres, land that was acquired under the Government.

A provision of the pending bill would permit this exchange to be made even though it is a direct violation of the Weeks Act and is also against the administration views.

We have a national forest in my State. Quite a few acres of land have been bought there by the Federal Government. That land has been reseeded and replanted. And the land provides a good source of revenue for the parishes in which the land is located because the parishes receive part of the proceeds from the trees that are cut and sold. Money derived from that source is paid to the parishes in Louisiana in lieu of taxes.

If the pending bill is enacted into law, all lands that are to be exchanged for privately owned lands will go into the hands of private individuals, and the parishes or counties in which land is located will lose the payments formerly derived therefrom and will not be able to obtain the revenue that they now obtain from the Government as their share of the receipts from the cutting and sale of these trees to privately owned mills.

The bill originally submitted contained a provision that the Federal Government can take funds from the Treasury and compensate the county affected as a result of the acquisition of private lands.

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

Mr. ELLENDER. I yield.

Mr. LAUSCHE. Mr. President, I think the Senator has just answered the question which I intended to ask.

My question was: If the land given in exchange for the other land were to become the property of a private owner, taxes would normally result from such ownership.

Mr. ELLENDER. The Senator is correct.

Mr. LAUSCHE. However, as I understand it, the Senator states there is provision here that instead of the private owner who has acquired such lands as the result of an exchange having to pay the taxes on such land, the U.S. taxpayers will have to pay them through contributions made to the Federal Treasury, which contributions will then be used to pay the taxes.

Mr. ELLENDER. That is the way the original bill was drafted; however, that provision was removed in committee.

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

Mr. ELLENDER. I yield.

Mr. MOSS. Mr. President, that is not

my understanding of what would happen if the pending bill were enacted into law.

The lands presently constituting the so-called redwood purchase unit would come under the ownership of the private landowners. That land would immediately go on the tax rolls and be subject to taxation.

The other alternative contained in the pending bill before the committee made this change was that there be a payment by the Federal Government to the parish or county in which the land is located in lieu of taxes, so as to compensate for the loss of tax revenue.

This is one of the difficulties that the committee faced. We have had the proposal in committee again and again that if we establish national parks, monuments, and other national reserves, we become involved in the matter of payments to the local taxing unit in lieu of taxes.

So far, we have always resisted the thinking that this is an area we should not get into; that the Federal Government would become so involved with payments in lieu of taxes that we should stay away from such a practice. Besides, there is always the convenience of saying, "Why should the Federal Government make payments in lieu of taxes? The national parks and monuments tend to stimulate the economy. They bring in business from which the local governmental units tend to benefit."

But returning to the first point, I do not understand that these lands would not go on the tax rolls immediately. They are now in the redwood purchase units. They are now tax-exempt because they are owned by the Federal Government. But once they have been transferred into private ownership, they will immediately go onto the tax rolls of the counties. This was one of the reasons why the committee, in considering the whole problem, which is very complex and difficult, said that one of the ways in which to lessen the impact on the small County of Del Norte, where about 70 percent of the county is owned by the Federal Government, is to put some of these lands on the tax rolls, because some other lands will be withdrawn from the tax rolls. The exchange will almost balance out, if that is done.

Mr. ELLENDER. I read from page 21 of the report:

PAYMENTS IN LIEU OF TAX

The administration bill provided for economic adjustment payments for a 5-year period to Del Norte County and its local government bodies to offset the immediate impact of land acquisition for the park. These payments have been eliminated by the committee. Only in one instance, Grand Teton National Park Act, 64 Stat. 849, has Congress authorized payments in lieu of tax in connection with land acquisition for park purposes. This committee does not feel that the establishment of such a policy at this time would be in the national interest.

Mr. MOSS. That description applies to the so-called administration bill, and it has been changed by the committee. The clean bill before the Senate does not provide for payments in lieu of taxes.

Mr. ELLENDER. The Senator is correct.

Mr. President, the effect of the amendment is very simple. It would delete the authority of the Secretary of the Interior to trade federally owned lands in the northern redwood purchase unit for private lands within the proposed park. That is all it would do.

The northern redwood purchase unit, with approximately 14,500 acres under the jurisdiction of the Forest Service, was acquired under the Weeks Act over 25 years ago. This national forest area is of extreme importance to the people of northern California. Coming from Louisiana, I know the value of national forests to the people of surrounding communities and to the Nation.

Some 35 years ago, the Kisatchie National Forest was established in my State. Cutover forest land was purchased; and under provisions of the Weeks Act, the same act under which the northern redwood purchase unit was created just a few years later, under a program of wise management by the Forest Service, denuded land was planted, reseeded, and protected from fire, until today the Kisatchie National Forest is a great economic asset to our State and particularly to the parishes in which the land is located. The annual allowable cut this forest supports is now over 60 million board feet—this from land which supported only stumps when brought into the national forest.

This forest was the base of numerous research activities. Direct seeding of cutover forest lands, now so widely used in the west coast, was pioneered in Louisiana. The national forest was the kind of "show me" laboratory that local operators and forest visitors could see and understand. A whole cycle of forestry activities has been run in my State over the past 30 to 50 years on both the national forest and private lands.

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

Mr. ELLENDER. I yield.

Mr. KUCHEL. First I wish to say that in all problems that both California Senators have presented to the senior Senator from Louisiana they have received more than fair consideration. They have had sympathetic consideration and assistance. I respect the Senator from Louisiana, and he knows of my feelings; but I say to him that he does not accurately reflect the views of the people of California, of the people of northern California, or of the people who live in the two counties which would be affected by the park.

Yesterday, I put into the RECORD urgent pleas by the representatives of the governments of the Counties of Del Norte and Humboldt, urging that the Senator's amendment be defeated.

Mr. ELLENDER. I have not tried to misrepresent the feelings and beliefs of the people of California.

Mr. KUCHEL. The Senator from Louisiana would never misrepresent.

Mr. ELLENDER. As I said earlier, if this amendment remains in, of course they will be for the bill. But if it is rejected, they will be against it. Am I correct? I ask the Senator to answer "yes" or "no."

Mr. KUCHEL. I do not know. There is a difference of opinion.

Mr. ELLENDER. The Governor is against it unless that provision is in the bill.

Mr. KUCHEL. I will tell the Senator why.

Mr. ELLENDER. He is now sending telegrams to some Senators to vote for the bill because of this provision.

Mr. KUCHEL. I will tell the Senator why the Governor is against this amendment. I will tell the Senator why the Governor desires to keep the purchase unit exchange in the bill. He does not want to contribute to unemployment in either Del Norte or Humboldt Counties. If the purchase unit is not made a part of the transaction, the tax base in Del Norte County will shrink.

The Governor takes the same position with respect to the purchase unit that the president of the Sierra Club takes. I implore the Senator to listen to the words of the president of the Sierra Club. There is not a better friend of conservation in this country than the president of the Sierra Club. It is a nationwide conservation organization. This is what he has said about this matter, and I read from page 30655 of yesterday's RECORD:

The key to the financing of the compromise bill of the Committee is use of the Northern Redwood Purchase Unit which the Federal government now owns, on an exchange basis to acquire needed parkland. . . . This unit itself does not lend itself to park management. The Committee felt, and we agree, that it makes good sense to phase out this abortive redwood program to enable the National Park program to succeed. No adverse precedent is intended as these lands are not regular national forest lands and have never served their intended purpose.

I ask unanimous consent that an editorial published in the San Francisco Examiner of October 27, 1967, be printed in the RECORD.

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

A SOUND PLAN TO SAVE REDWOODS

The three-year battle to establish a redwoods national park in Northern California appeared near successful conclusion a few days ago with approval of a compromise by the Senate Interior Committee.

Now administration opposition has turned up and Rep. Wayne Aspinall, chairman of the House Interior Committee, refuses to act until his staff inspects the area, probably not until next year.

We regret the delay. The Senate bill represents the most generally accepted plan yet advanced. The possibility of resumed logging in the proposed park and the uncertainties of the times combine to urge prompt congressional approval while there is yet time.

A unique feature of the Senate plan, coauthored by Sen. Thomas Kuchel (R-Calif.), is a trade of federal lands for private lands to round out the park. The rest of the park could be composed of three existing state parks. Kuchel says the trade would cut about $60 million from the estimated $99.8 million cost of acquiring private acreage.

That is a most persuasive argument in behalf of the committee bill, particularly in a time of retrenchment talk about federal spending.

Secretary of Interior Udall, while favoring a redwood park, opposes the land trade. So does Sen. Clinton Anderson (D–N.M.), a committee member.

But we think the average citizen would view this as a rare opportunity to trade relatively undistinguished forest lands for

lands that bear priceless groves of towering, ancient redwoods.

An important advantage of the Kuchel park version is that it spreads the park's economic impact among four lumber companies instead of one.

Rep. Aspinall says the situation gets more mixed up every day. We strongly feel it can be un-mixed by approval of the Senate bill.

Until a plan is settled on, uncertainty will continue to plague lumber interests, local governments and local people. We hope this point will not be lost on Rep. Aspinall, others in Congress and the national administration.

Mr. KUCHEL. Mr. President, if the Senate desires to save redwood trees which are centuries old—some of them 2,000 years old—and wants to authorize $100 million to do so, which is in our bill, the Senate should also realize that there are other considerations.

It has been a long tortuous trail for people to try to put together a bill that can become law. There is no use kidding ourselves. The hour is late. If the Senate refuses to go along with a bill that is feasible and realistic, and which is endorsed by conservation groups concerned with redwood preservation, we might just as well forget about it and let the redwoods be chopped down. I say that most sincerely to the Senator.

Mr. ELLENDER. I understand the Senator's position. I understand the good that would come to California as a result of this measure, and I do not blame the Senator.

Mr. KUCHEL. Will come to the Nation, my friend.

Mr. ELLENDER. I would probably do the same thing if I were in California. In the Senator's State there are lots of State parks owned and controlled by the local government.

Mr. KUCHEL. That is true. We have 20 million and people come into our State from across the country. We are a part of the United States.

Mr. ELLENDER. Yes, I know that.

The Senator read a statement of someone desiring this measure.

Mr. KUCHEL. Yes, sir.

Mr. ELLENDER. On October 27, 1967, the following wire was sent to President Johnson:

We support a redwoods national park and are looking to you to uphold the outstanding conservation record of your administration as well as long established policy that national forest lands of this country not be used as trading stock in support of unrelated Federal programs.

Mr. KUCHEL. It was not a national forest.

Mr. ELLENDER. My dear sir, it was land acquired under the Weeks Act and the Weeks Act prohibits the transfer of this land.

Mr. KUCHEL. I will tell the Senator what it was.

Mr. ELLENDER. I am on limited time, Mr. President.

The PRESIDING OFFICER. The Senator from Louisiana has the floor.

Mr. ELLENDER. Mr. President, I shall continue to read the telegram:

Specifically, we are opposed to provisions in the current Redwood National Park bill which would exchange national forest lands for private timber lands. We can see no purpose in subordinating the broad public interest to the pressures of some California interests—

Including my good friend from California and the Governor.

Of course, they are for this bill with the amendment which eliminates this exchange, and this is signed by:

American Forestry Assn., Ken Pomeroy, Chief Forester.

Boone and Crockett Club, John E. Rhea, Cons. Comm. Chem.

Izaak Walton League of America, Joseph W. Penfold, Cons. Director.

National Rifle Assn. of America, Frank C. Daniel, Secy.

National Wildlife Federation, Thomas L. Kimball, Exec. Dir.

North American Wildlife Foundation, C. R. Gutermuth, Secy.

Sport Fishing Institute, P. A. Douglas, Exec. Secy.

Wildlife Management Institute, Ira N. Gabrielson, Pres.

Mr. President, I wish I had had more time in preparing for this debate but it was thrown in my lap yesterday morning and I did not have a chance to look into the matter until last night for about an hour, and this morning.

Mr. President, it strikes me that the Senate should, by all means, vote for the amendment I propose.

I repeat that when Mr. Udall presented the bill to the Senate the provision I am trying to delete was not in that bill because the administration was against it. All I am asking is that the Udall bill, the one submitted to the committee, be amended so as to strike out what was not in that bill when it was presented to the Congress some time ago.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield for a question.

Mr. LAUSCHE. Has the House of Representatives acted on this measure?

Mr. ELLENDER. Not to my knowledge. I do not think they will. They have turned it down many times already.

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

Mr. ELLENDER. I yield.

Mr. BYRD of West Virginia. What is the position of the U.S. Forest Service on this?

Mr. ELLENDER. They are against it.

Mr. BYRD of West Virginia. Against the Senator's amendment?

Mr. ELLENDER. They are for my amendment, and against the provisions in the bill. They are for my amendment.

Mr. KUCHEL. That is a little empire building.

Mr. ELLENDER. I do not know of anybody outside of California who is for the committee bill.

Mr. KUCHEL. I ask that the Senator look at the Senators in the committee who joined as sponsors. LEE METCALF is as able a conservationist as there is and he is all the way for the bill.

Mr. ELLENDER. I am for the bill if we adopt this amendment.

Mr. KUCHEL. LEE METCALF is against the Senator's amendment.

Mr. ELLENDER. But this amendment was put in after the Interior bill was presented to us.

Mr. KUCHEL. We redrafted this bill——

Mr. ELLENDER. Surely you did.

Mr. KUCHEL. In order to have a viable and feasible park bill reported out of the Senate committee and have a chance for passage by the Senate.

This has been vastly changed. The original bill provided for "in lieu" payments in Del Norte County. Some persons on the committee said that they would not go for it if there were "in lieu" payments, and we took it out.

Mr. ELLENDER. That is all right, but the way you did it was to violate the Weeks Act.

Mr. KUCHEL. No.

Mr. ELLENDER. Yes, you did; because the measure provides that lands purchased under the Weeks Act can be exchanged by the Federal Government for privately owned land, and that provision was put in the bill just lately. I do not know how many Senators know about that.

Mr. KUCHEL. That is not so, if I may respectfully say that.

Mr. ELLENDER. When was that provision put in and who put it in?

Mr. KUCHEL. The Senator from New Mexico [Mr. ANDERSON] asked our committee to put in an amendment to the bill. He knew we were going to approve the bill, and so he asked for an amendment to endeavor to obviate any possible violation of the Weeks Act. Everyone in the committee agreed. That is the reason we put in the bill the language on page 3, line 14 "Notwithstanding any other provision of law." We did it at his request, so the Senator from New Mexico was the author of that amendment. We acceded to his request. The committee does not want this exchange to be a precedent, but there is only one place in all of God's globe where we have these trees which were living at the time when Christ died. There is no other place like it.

Mr. ELLENDER. Mr. President, if this bill is passed with the amendment I am suggesting, we will have the redwoods just the same, because there is authorized $100 million for appropriations in order to purchase this land. I have no doubt but that if the bill is enacted, that pressure will be brought to bear to obtain money immediately in order to buy these redwoods before they are all cut down. I know that.

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

Mr. ELLENDER. As I said, the committee changed the administration bill and put in the language that I am trying to delete from the bill now. I doubt that many Senators whose names are on that bill know about it.

Mr. KUCHEL. Oh, Senator.

Mr. ELLENDER. It was done in committee.

(At this point, Mr. PROXMIRE assumed the chair.)

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

Mr. ELLENDER. I yield to the Senator from Ohio.

Mr. LAUSCHE. In the event the amendment of the Senator from Louisiana is agreed to, the U.S. Government will be in the position to acquire what are known as the redwood forests involved in this controversy?

Mr. ELLENDER. Without any doubt.

We have an authorization of $100 million.

Mr. LAUSCHE. In addition to that, the 14,000——

Mr. KUCHEL. No, no, no.

Mr. LAUSCHE. And in addition to that, the 14,000 acres which have been authorized to be exchanged will remain in the Forest Service for use by the U.S. Government in accordance with the laws and the best judgment of the Forest Service. Is that correct?

Mr. ELLENDER. The Senator is correct.

Mr. LAUSCHE. They will remain the possession of the United States if not exchanged.

Mr. ELLENDER. Certainly, they will.

Mr. LAUSCHE. So we have the Redwood Park acquired by the $100 million.

Mr. ELLENDER. Yes.

Mr. LAUSCHE. And we will also have this 14,000 acres that were acquired under the act which the Senator from Louisiana has referred to.

Mr. ELLENDER. Mr. President, my good friend from California and also my good friend from Washington were not here a while ago when I read section 11. All of the land that is sought to be exchanged was acquired by the Government under the Weeks Act.

Mr. KUCHEL. It was purchased, was it not?

Mr. ELLENDER. Yes, and it is owned by the Government.

Under the Weeks Act there is this significant provision:

SEC. 11. That, subject to the provisions of the last preceding section, the lands acquired under this Act shall be permanently reserved, held, and administered as national forest lands under the provisions of section twenty-four of the Act approved March third, eighteen hundred and ninety-one.

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

Mr. LAUSCHE. Mr. President, if I may, I wish to finish my question, please.

In the event the amendment of the Senator from Louisiana is adopted, with $100 million, the redwood park will be acquired.

Mr. ELLENDER. Yes, sir.

Mr. LAUSCHE. And the U.S. Government will still remain the owner of the 14,000 acres, to be used in pursuance of this authority.

Mr. ELLENDER. Yes.

Mr. LAUSCHE. And that is 14,000 acres of redwood lands but not of the age and timber quality of those they were seeking to acquire.

Mr. JACKSON. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I have very little time left.

Mr. JACKSON. All right, I will give the Senator some of my time—whatever the Senator needs. He has an hour and a half.

Mr. ELLENDER. Yes, I have an hour and a half, at least for myself to——

Mr. JACKSON. Just to clarify two points.

Mr. ELLENDER. All right.

Mr. JACKSON. I think the Senator from Ohio has the idea that the lands remain forever in Federal ownership. I know that the Senator did not have an opportunity to read the whole section of the statute, but in order to make it clear so that we all understand this, he should point out that the Forest Service has authority to exchange Weeks land for private land.

Mr. ELLENDER. To round out the area, yes.

Mr. JACKSON. It has broad authority.

Mr. ELLENDER. But only to enter into exchanges of small tracts, not to exchange as much as 14,500 acres for these purposes. The only purpose is to round out Forest lands.

Mr. JACKSON. Yes, they could.

Mr. ELLENDER. That is far removed from the——

Mr. JACKSON. They have engaged in very large exchanges before.

Mr. ELLENDER. Not to my knowledge.

Mr. JACKSON. Surely.

Mr. ELLENDER. The letter, printed in the report from the Bureau of the Budget, shows that it is their position that this could be done in order to round out the area. In other words, the Forest Service could exchange a tract for privately owned lands to round out its own holdings but not to do what the Senator is now suggesting, my dear sir.

Mr. JACKSON. The Forest Service has the authority to engage in large exchanges if it is part of the overall management scheme.

Mr. ELLENDER. All right.

Mr. JACKSON. This covers a wide area.

Mr. ELLENDER. Yes.

Mr. JACKSON. So that Senators will understand what this controversy is about, let me say that I can stand here and say without contradiction that if the 14,500 acres were now in the hands of the Interior Department for administration, there would not even be debate. I think Senators should understand that this is an ancient fight between the Department of Agriculture and the Department of the Interior which goes back to 1908. The original bill that came up here from the administration provided for wide exchange authority——

Mr. ELLENDER. Of land——

Mr. JACKSON. With no limitation——

Mr. ELLENDER. But not national forest land.

Mr. JACKSON. Wait a minute. It covered everything within the State of California under the management of the Department of the Interior.

Mr. ELLENDER. Exactly.

Mr. JACKSON. I will read it to the Senator.

Mr. ELLENDER. I am familiar with it.

Mr. JACKSON. All right.

Mr. ELLENDER. But the Senator has added this other——

Mr. JACKSON. I want to say to my good friend, so that we fully understand this issue, that if the 14,500 acres were within the jurisdiction of the Department of the Interior, there would not be any dispute at all.

I want to make two points. One, that we have the problem here of appropriations. We are talking about $100 million in acquisition costs. We can argue that figure one way or the other, but that is the best estimate.

Say that the purchase unit has a value of $60 million. We would save $60 million on appropriations. That is an important factor in considering the bill. I think it is essential that Senators fully understand what is involved here in connection with that item.

Second, in the original administration bill, provision was made for "in lieu" assistance to the county that would be affected—Del Norte County—because of the large losses that would accrue by reason of timber taking in that county. Now that provision is out. We felt that the millowners who were going to have their timber taken, in order to provide for the park, should have the option here of being able to acquire land in lieu of cash payments. It is not mandatory. It is permissive. Thus, I think that if we analyze this on those counts, the equities are clearly in favor of this move. I think it is rather tragic that we get trapped here in this bureaucratic snarl between the Department of Interior and the Department of Agriculture.

If anyone has studied this problem through the years—and I know that my good friend from Louisiana has, because he is the very able chairman of the Agriculture and Forestry Committee—I think we will all agree that most of these interdepartmental quarrels are clearly unnecessary. When we have such a quarrel presented to us, as it is being presented here today, I suggest that Congress is the appropriate agency to settle it, and we can do it in this case.

Mr. ELLENDER. Let me read to my good friend from Washington a letter from Secretary of the Interior Udall—the Senator from Washington was not here awhile ago when I read it:

There have been extensive discussions between State officials and representatives of the Bureau of the Budget and the Departments of the Interior and Agriculture. The subject you raise has been thoroughly aired. The position of the Administration is firm against the transfer of National Forest lands to the State of California or to private lumber interests as part of the Redwood National Park transactions. We feel this general principle must be upheld always.

It has been the long-standing position of the Government, and I know you are in agreement with this, that the National Forests should be maintained intact and that when private timberlands are needed by the Federal Government in the public interest, payment should be in cash and not in kind.

That is Secretary Udall talking.

Mr. JACKSON. Will the Senator from Louisiana yield at that point?

Mr. ELLENDER. Well—I have no more time——

Mr. JACKSON. It is responsive entirely to his letter.

Mr. ELLENDER. I have only 30 or 40 minutes left.

Mr. JACKSON. I have another letter here from the Secretary of the Interior. [Laughter].

Mr. ELLENDER. That is a result of someone pressuring him into giving in—all right—well, if it is to contradict what he said before—well, that is why I say, I do not know who is responsible for this, but when Secretary Udall sent the bill up for the first time, the provision that I am now trying to delete was not in that bill, and he was in strict accord with

the views that I now entertain; but, somehow, in between, there has been a change of heart.

Mr. JACKSON. This is a letter which I received from the Secretary of the Interior, dated October 31——

Mr. ELLENDER. Yes.

Mr. JACKSON. That is quite recent—that is yesterday.

Mr. ELLENDER. Yes—that is right—that is right. He changed his mind. [Laughter.]

Mr. BYRD of West Virginia. Mr. President, may we have order in the galleries?

The PRESIDING OFFICER. The galleries will be in order.

Mr. ELLENDER. Mr. President, this letter should be added to the RECORD. I am sorry now that I have a time limitation on this bill because it should be discussed before we pass on it. I should like to know why he changed his mind and who had him change his mind.

Mr. JACKSON. I do not wish to intrude upon the Senator's time any further. I want to read only two paragraphs from the letter and then I shall desist.

Mr. ELLENDER. Read the whole thing.

Mr. JACKSON. I shall put the complete letter in the RECORD later. May I just read two paragraphs now, and make it very clear so that there is no dispute about it? I shall quote now the two paragraphs. The rest of it does not need to be read at this time:

> The Administration has opposed the use of our National Forests as trading stock. However, the Senate Committee argues that this is an "extraordinary situation in which an exception is necessary". Your Committee further points out that the Northern Redwoods Purchase Unit is not in an established National Forest.
>
> If the Congress considers the land exchange provision to be absolutely essential to enactment of the legislation, the Administration is presented with a new policy issue which must be resolved. As yet, for obvious reasons, the Administration has taken no stand one way or the other on this specific question. If the creation of the Redwoods Park hinges on this kind of compromise I can only express my own personal view that such a compromise would be acceptable only if everyone concerned pledged firm adherence in the future to the existing policy of protecting the Federally owned lands in our National Forests against land exchange.

Mr. ELLENDER. That is the personal view of Secretary Udall, and not the view of the Department nor the administration.

Mr. LAUSCHE. Mr. President, I should like to ask a question of the Senator from Washington, if the Senator from Louisiana will yield?

Mr. ELLENDER. I yield.

Mr. LAUSCHE. These 14,500 acres, I understand, were acquired in 1940 at a price of $440,000; am I correct about that?

Mr. JACKSON. I think that is the approximate time when they were acquired. The first move on them was made in 1934. The actual acquisitions, I believe, occurred in 1940.

Mr. LAUSCHE. The point I am trying to make is that the land was acquired in 1940 at a cost of $440,000, and the 14,500 acres are now estimated to have a value of at least $30 million. Is that correct?

Mr. JACKSON. Well, we have an estimate of $60 million.

Mr. LAUSCHE. The lumber people from whom these redwood forests would be acquired will want these 14,000 acres, having a value of $60 million. Why?

Mr. JACKSON. The answer is simple. The answer is that, in the case of two mills, they are directly dependent for their existence on timber within the proposed park boundaries. The Arcata Lumber Co., for example, employs 300 men. It would go out of business unless it could obtain, in substantial part, land to replace the land it would lose.

The original administration bill had a provision for economic adjustment payments to communities in Del Norte County for a period of time to take care of the losses that would occur economically. That is the reason why we provide for this exchange. It relates entirely to the economics of the community.

Mr. LAUSCHE. If it is advisable to protect the redwood forests, why is it not wise to retain the 14,000 acres which they want and which was acquired at a cost of $440,000, which value has increased to at least $30 million in the last 27 years? Why should not we keep both?

Mr. JACKSON. The 14,000 acres are being logged. We are proposing that the same policy be continued.

Mr. ELLENDER. Mr. President, I wish to say that the land owned within the confines of this proposed park is controlled, as I remember, by four companies, and the four companies will get these 14,500 acres of land. The small sawmills in that area which are dependent on this land will be without any logs from the purchase unit.

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

Mr. ELLENDER. No. The Senator is taking all my time.

Mr. JACKSON. Those small companies are going to be taken care of by the increased cut allowance in the Six Rivers National Forest.

Mr. ELLENDER. It is at the Federal Government's expense. That is how it is being done.

Mr. President, a little while ago, before I was interrupted, I made reference to the Kisatchie National Forest in the State of Louisiana.

Today the people of Louisiana are solidly behind the work being carried on in the Kisatchie National Forest. The 592,000 acres of national forest have become an integral part of the natural resource economy of Louisiana. It belongs to both the citizens of Louisiana and to all the people of our Nation, in the same manner as the 14,000 acres are now owned in northern California, which would be traded if my amendment is not adopted.

Hunters, fishermen, campers, all use it—while at the same time valuable crops of sawlogs, pulpwood, veneer logs, and other forest products are harvested by our timber operators.

If we fail to adopt amendment No. 426, we will endanger the Kisatchie National Forest and all of the national forests throughout the Nation. We will open the floodgates for those who are making demands that these public lands be used to pay for parks, reservoirs, and highway rights-of-way. As Senator ANDERSON indicated when he submitted the amendment, regardless of the efforts to distinguish the creation of a redwood national park from other Federal projects, we will not successfully keep down the pressures to use national forest lands as trading stock for other Federal projects whose sponsors will claim that they are also uniquely significant.

Aside from the precedent this "trade off" will set, there are other important reasons for not using these national forest lands to pay for the redwood park. It will not put any more forest land into production, because the purchase unit land is available for timber harvest by private operators under the procedures now used on all national forests, as I have just indicated. Recreation, hunting, and fishing, and other uses would not be enhanced, because they are all uses now recognized by the Forest Service and geared to make the greatest contribution possible to the local counties and their needs.

No additional or new jobs would be created as a result of this "trade off" of national forest lands. Established timber operators and other people in the area depend on the existing and potential forest resources for their livelihood. Others would be taking these same jobs if a trade were made, which would not in any way enhance the economy of the region.

Further, any savings realized in "trade off" of the purchase unit would be only a small part of the total cost of the park. The estimated value of national forest land in the purchase unit falls far short of the value of old-growth timber on private lands within the proposed park. This is too small a sum to endanger a basic conservation principle.

The four main companies involved will likely not need the small part of the purchase unit that would be made available to them in order to continue operating for a significant number of years.

The effort to make the affected companies partially whole would carry a cost of withdrawing supplies from other operators who now have an opportunity to bid for stumpage that would be transferred to four large, strong companies.

Mr. President, to me, the establishment of Redwood National Park is an important conservation measure. The park is needed, and I compliment the distinguished senior Senators from Washington and California in bringing this matter to the floor. But S. 2515 will not be a wise and prudent act of this body unless we adopt the amendment which is now pending.

Mr. President, I reserve the rest of my time.

Mr. PELL. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. PELL. I think this should be a matter of record. What would be the additional cost to the taxpayer if the Senator's amendment were accepted?

Mr. ELLENDER. I do not quite understand the Senator.

Mr. PELL. What would be the additional cost to the taxpayers?

Mr. ELLENDER. The bill provides, or at least it is supposed to provide, that 14,000 acres shall be placed on the tax-

rolls of the counties in which the land is located, and that that will compensate, according to the Senator from California [Mr. KUCHEL] and the Senator from Washington [Mr. JACKSON], for the taxes that would be obtained by the county from the owners of the land taken.

Mr. PELL. It would be a "wash"?

Mr. ELLENDER. That is correct.

Mr. PELL. So there would be no additional cost to the taxpayers?

Mr. ELLENDER. That is correct.

Mr. PELL. That is correct?

Mr. ELLENDER. Yes; but, as I said, in making the transfer, we would violate the Weeks Act, from which I have read, which provides that the land shall be held in perpetuity for the people. That is why I am opposed to the transfer.

As was brought out earlier, the land was bought in 1940, under the Weeks Act, at a cost of about half a million dollars. It is now worth $30 million, according to information given to the sponsors of the bill. Some say the 14,500 acres involved is worth $60 million.

Mr. JACKSON. From $30 to $60 million.

Mr. ELLENDER. That land would be exchanged for the trees in the park. But the Senator from Rhode Island should know that the bill provides an authorization to buy land. I am for that. Where I draw the line is in the taking of 14,500 acres of land that was acquired for the good of the people of the United States, with the people's tax money, and which has been reseeded and developed, and then give it to four companies because of some trees that the companies own within the park. That may be a good trade; I doubt it. But the transaction would be in direct violation, as I have said, of the Weeks Act and against the views of Secretary Udall himself, expressed on July 13, 1967.

Mr. PELL. I thank the Senator from Louisiana.

Mr. STENNIS. Mr. President, will the Senator from Louisiana yield for a question?

Mr. ELLENDER. I yield.

Mr. STENNIS. First, I express my very great appreciation to the Senator from Louisiana for the strong fight he is making in this matter. It involves a policy. It involves a principle well established nationwide.

Also, I should say at this point that I do not know of any Senators with whom I would rather be in agreement than the Senator from Washington [Mr. JACKSON] and the Senator from California [Mr. KUCHEL]. I dislike to be in disagreement with them. But this is an occasion when duty must come first.

The Senator from Louisiana is correct in announcing the nationwide policy as to national forests and in promoting a program to reserve and preserve these forests in perpetuity for generations that are to come.

Nothing has ever benefited my State of Mississippi more than the acquisition of about 1 million acres of cutover, burned-over timberland in the 1930's at a cost to the Federal Government of about $10 an acre. Now all that land is in high production. It has been and is a model or an example from which we have benefited.

We now have an excellent State forestry commission and a liberal tax program with respect to drawing timber. The timber industry is one of our truly great industries, and a part of the revenue derived from it is returned to our forestry program.

Now they come along and seek to start a policy of trading off, or swapping off, or selling off this acreage. I think if we make a substantial exception to the established policy here, we must make exceptions for all citizens and all areas likewise, across the length and breadth of this Nation. Unless justified by economies, I do not believe such a change of policy would be wise.

I am willing to support the bill, but I do not think we have heard a firm figure as to what the proposed redwood forest would cost. I should like to see California and the Nation have the park, but I think it is a bad mistake, as I understand the Senator from Louisiana, just to throw aside, now, or bypass, this firmly established and proven policy.

I thank the Senator again. I ask the Senator from Louisiana whether he has any firm figures as to what the land we propose to exchange or barter away would sell for. How much would it bring, in money, to the Federal Government, if we make the trade?

Mr. ELLENDER. To begin with, the land to be exchanged, the 14,500 acres, was acquired by the Federal Government in 1940 at a cost of about $450,000, in round figures. It is estimated by some that those 14,500 acres are now worth $30 million. During the course of the debate, the distinguished Senator from Washington said that they may be worth up to $60 million.

I point out that there is in the bill an authorization for $100 million to acquire the necessary land to establish the park over and above the value of the proposed exchange. I do not know what the original amount in the bill was, but I believe it was $100 million. But even with the amendment added, which would permit the exchange, the authorization figure of $100 million has not been changed. It is still there.

Mr. MOSS. Mr. President, will the Senator yield? I wish to respond, in part, to the question of the Senator from Mississippi, if I may.

Mr. STENNIS. If the Senator from Louisiana wishes to yield to the Senator from Utah, it is all right with me.

Mr. ELLENDER. Not on my time.

Mr. MOSS. Will the Senator yield 2 minutes to me?

Mr. STENNIS. I do not have any time. The Senator will have to get it from the other side.

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Utah?

Mr. MOSS. Will the Senator from Washington yield time to me to answer the question that has been put by the Senator from Mississippi?

Mr. JACKSON. The Senator asked for time on the bill. There is no limit on the bill, I believe. I yield 2 minutes to the Senator from Utah.

The PRESIDING OFFICER. The vote on the bill will follow immediately the vote on the amendment, at 2:30.

Mr. MOSS. The Senator from Mississippi was asking the question as to how much money the Federal Government might realize on the exchange of the 14,500 acres. The answer, of course, is that the Government would receive no money at all, in cash.

However, I wish to point out that we are not talking about diminishing the acreage owned by the Government at all. What we are talking about is exchanging some land that is now privately owned, into Federal ownership; for some land that is now in Federal ownership, out into private ownership.

In other words, it is a "wash," and the same amount of acreage will remain in public ownership at all times. So we will not deprive the people of California or the people of the United States of any forest lands for the purposes we have been talking about, except for the timber that may be on it. We are not depriving them of land for recreational uses. The Federal Government is not selling off land, or trading it off to get money. They are just trying to work out an exchange.

Mr. ELLENDER. Mr. President, I point out that there is nothing in the act to substantiate what my good friend from Utah is saying. In other words, if the 14,500 acres of land in question, which is not in the park, is exchanged for big tree land in the park, it may be that there will be only 2,000 or 3,000 acres involved. It may be considered that 3,000, 4,000, or 5,000 acres of land in the park is worth as much as the 14,500 acres. So, while the Senator is correct in saying that it would be a "wash-out," it is not an exchange of acre for acre, and there is nothing in the bill, that I can see, that would support that implication.

I am sure that my good friend from Washington agrees with that view, because he took that position, as I understood, in committee: that if the 14,500 acres are worth, for example, $30 million or even $60 million, that value will not necessarily represent that much less cash that Congress will have to appropriate, in order to acquire the big trees.

Mr. JACKSON. The Senator is correct.

Mr. STENNIS. Mr. President, will the Senator yield further?

Mr. ELLENDER. Surely.

Mr. STENNIS. As a matter of fact, when we speak of giving people employment in the proposed new park area, is it not true that this land they are supposed to exchange is producing timber now, forest growth, and that the so-called little people who live around it, who are in the business of operating sawmills, or otherwise engaged in working with forest products, have an opportunity to bid periodically upon the timber grown in those forests?

Mr. ELLENDER. The Senator is correct. When I raised that point awhile ago, the Senator from Washington stated that they would be able to get some timber from some other areas. But they, the large companies that would acquire this land in exchange for their holdings in the park area, would be entitled to

that timber in that area from here on out, and would own it in perpetuity, to sell or dispose of as they saw fit. However, should the 14,500 acres remain in the hands of the Government, the timber would be replaced; it would continue to grow, and those little sawmills around it would have access to that timber indefinitely. But if the land is exchanged, it will simply be out of pocket, as far as the small sawmills are concerned.

Mr. STENNIS. This land we propose to give up is now providing timber on a sustained yield basis, for perpetual use?

Mr. ELLENDER. The Senator is correct.

Mr. STENNIS. The little people are able to bid and get the contracts to cut the timber?

Mr. ELLENDER. That is right.

Mr. STENNIS. And if the lands are retained, that prospect will go on, decade after decade?

Mr. ELLENDER. The Senator is correct.

Mr. STENNIS. Mr. President, may we have quiet so that we can hear each other speak?

The PRESIDING OFFICER. The Senate Chamber will be in order.

The Senator from Mississippi may proceed.

Mr. STENNIS. Mr. President, if we give up this land, that will, of course, stop the sustained yield. It will also stop the bids and will stop the participation of the little fellows. We are not indifferent to any of the small producers and their laborers or the large producers and their laborers. However, what is fair for one is fair for the other. If there is a transfer, somebody will have to give up some employment.

Mr. ELLENDER. The Senator is correct. The sustained production of the timberlands inures to the Government from here on out. There is no better investment that has been made by the Government than the purchase of the 14,500 acres, because the Government obtains the money from the sale of the timber each year. That condition will continue from here on.

If the 14,500 acres get in the hands of the large mills, the chances are that they will cut the timber for sales and perhaps later sell the naked land.

We have had similar experiences in Mississippi and in Louisiana where a lot of well-to-do sawmill operators have come into an area, bought land for little or nothing, and cut the timber on that land. When these operators leave, the only thing we have left are the charred stumps. That is what will happen to the 14,500 acres if we transfer it all to the four large companies.

I understand that there are 10 or 12 small mills in the area that more or less depend on the yield that comes from that 14,500 acres.

The Government profits from the ownership of this land. So does the community. The same situation is true in my State.

As I pointed out, the Federal Government invested some money there quite a while ago and bought more than a half a million acres of land. It is a good investment for the Government and for the people.

I would hate to see any changes made. Therefore, I urge that the Senate accept the pending amendment.

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

Mr. ELLENDER. I yield.

Mr. JACKSON. Mr. President, I think the Senator should know, in view of the fact that there has been quite a discussion about small operators buying timber from the purchasers, that since the sales, have taken place, one company has purchased 30 percent of all the timber sold.

I think the Senate should know that the timber is sold through public bidding. It is misleading to the Senate to give the impression that 10 or 12 small companies have been buying all of this timber.

Mr. ELLENDER. The committee report shows that there are 10 or 12 small sawmills.

Mr. JACKSON. That is correct; but the Senator has premised his contention on the point that the small companies are buying it.

I point out that one company bought 30 percent of all the timber that has been sold in that area. It is one of the largest timber companies in the United States.

The timber is sold at public sale. It goes to the highest and best bidder. I do not think the Senate should get the idea that the timber is being sold to a series of small companies. I think this point should be made.

I am sure that the Senator might not have been aware of it.

Mr. STENNIS. Will the Senator yield?

Mr. ELLENDER. I yield.

Mr. STENNIS. Is it not true, I say to the Senator from Washington—even though I am sure that what he says is correct—that the lettings or the small number of units on which the little fellow may have a chance to bid may not be sufficient in number to give the little fellow a chance?

Mr. JACKSON. That is generally true. However, there have been some large sales which work to the advantage of the larger companies. I point out, however, that the Forest Service constantly makes revision in the allowable sustained cut. They can increase the allowable sustained cut based in the Six Rivers National Forest on a recalculation that they have made recently. That will take care of these five or six small companies that will have an opportunity to purchase in the Six Rivers National Forest, managed by the Forest Service, right next door to this purchase unit.

Mr. STENNIS. We are not, of course, against the large bidder. It is merely a matter of fairness and seeing that the little fellow has a chance too. We must try to keep a fair balance between the rights and interests of both the large companies and the small bidders.

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

Mr. JACKSON. Mr. President, I yield 1 minute to the Senator from Alaska.

The PRESIDING OFFICER. The Senator from Alaska is recognized for 1 minute.

THE BEST CHANCE TO SAVE THE REDWOODS

Mr. GRUENING. Mr. President, the amendment has been offered and debated most eloquently.

During my service in the Senate it has been extremely gratifying to me to have had the opportunity of supporting and working for the creation of the whole galaxy of great national recreation areas, parks, and seashore and lakeshore preserves that have come before the Senate for action. Cape Cod, in Massachusetts; Point Reyes, in California; Padre Island, in Texas; Indiana Dunes, in Illinois; Assateague in Maryland; Canyonlands, in Utah; Fire Island, in New York; the Ozarks National Riverway in Missouri, and all the other beautiful resorts for which we have enacted legislation during the last three sessions of Congress which will remain forever protected to give pleasure, recreation, and inspiration to the people of the world. We still need the Oregon Dunes and Sleeping Bear Dunes on the shores of Lake Michigan, both of which have been considered by the Senate but await another opportunity for final enactment. The 88th, 89th, and the 90th Congresses will surely go down in history as sessions in which more has been done to create marvelous parks and recreation areas than any others. I am proud to have had a part in this creative work which has produced so much of incalculable value.

Now the establishment of an adequate national park for the preservation of the noble redwood trees of California is one of the worthiest objectives ever sought by the National Park Service, by the Congress, by the great conservation societies of the United States, and their friends. Since the beginning of this century, wise and foresighted groups and individuals have recognized these marvelous trees as truly exceptional—indeed, unique—national treasures which should be preserved forever. We owe it to those now living and those to come after us to preserve and care for the matchless resource of natural beauty and inspiration afforded by the giant redwoods.

Since the preservation of the redwoods in a national park became a matter for congressional concern during my service in this body, I have consistently supported measures which would provide the greatest protection of the largest possible acreage of redwood trees.

The bill, S. 2515, before us for action, is not the same as the bill, S. 514, which I cosponsored. That measure, introduced by our distinguished colleague, the junior Senator from Montana, Senator METCALF, represented, I thought, the best proposal advanced for establishment of a redwood park. However, the bill agreed upon by the Senate Interior and Insular Affairs Committee, after much dedicated effort, is the proposal on which it has been possible to obtain agreement by the principal proponents of S. 514 and of the administration bill, S. 1370. Chairman JACKSON, our distinguished colleague, the senior Senator from California, Senator KUCHEL, and Senator METCALF are to be heartly congratulated on having persevered in the common interest in finding a formula for preservation of the redwoods in a national park forever protected from destruction. It has been very difficult to reconcile all the interests involved in this great project, and the development of the solution represented by S. 2515 has required much

hard work and careful study of the views of differing interests. I am glad to support the bill now before us.

The important thing is to act now to preserve the redwoods still in existence. We must act now before time allows destruction of these live national treasures. When a great redwood tree is destroyed the loss is irremediable and cannot be compensated. It is our duty to act now to preserve the redwood lest they become merely ephemeral memories of past glories.

Amendments to this bill, S. 2515, have been proposed and passionately urged. They reflect differences on this legislation between the Secretary of the Interior and the Secretary of Agriculture. If we now yield, after this long, long, and dedicated effort to bring a bill to the floor, if we get into a prolonged wrangle over amendments, and its renewal of controversy, we shall lose, perhaps, for all time, the long overdue opportunity to save any appreciable stand of the rapidly vanishing redwoods. As Senator JACKSON, the able chairman of the Senate Committee on Interior and Insular Affairs, and the floor manager of this bill, has well said, when executive departments disagree on pending legislation, the Congress is the place and the agency to settle those differences. I shall oppose any amendments, and support the committee bill, which in my view is the best possible measure obtainable. Let us save the redwoods.

Mr. ELLENDER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ELLENDER. Mr. President, do I correctly understand that we are to vote on the pending amendment at 2:30 this afternoon?

The PRESIDING OFFICER. The Senator's understanding is correct.

Mr. ELLENDER. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Louisiana has 17 minutes remaining.

Mr. ELLENDER. The remaining time from now until 2:30 this afternoon is to be controlled by the distinguished Senator from Washington?

The PRESIDING OFFICER. The Senator is correct.

Mr. JACKSON. Mr. President, I yield 5 minutes to the distinguished senior Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. HOLLAND. Mr. President, I have long favored, and favored strongly, the setting up of a national park in the redwood area of California.

I know something about the long and extended negotiations that have been conducted in this field. I know that the present program proposes a national park setup that involves not only the redwood area that is thought to be more primeval than anything else available, but also having in the park various coastal areas which will be highly desirable for recreational and other similar use.

I know that there have been long negotiations between the Federal Government and conservation groups and the State of California. And the State of California has a decided stake in this matter, because this park will be in that State. California also has three State parks that will become a part of this major national park.

I would hate to see anything done here which would disturb the very fine arrangement that has been worked out between the State of California and the national governmental agencies.

I shall make two points.

First, if I were a Californian—and I think they are a little bit like us Floridians—I would not want to greatly and unnecessarily enlarge the Federal domain within the State of California. To the contrary, I am very anxious not to have a larger Federal domain in our State.

The swapping of the Federal lands now within one agency for other lands which will go to another agency, the national parks, keeps down the fear in California that the National Government will continue to enlarge and enlarge its holdings in that State.

If this were taking place in Florida, I would have exactly the same view. I would not want by the establishment of this national park—if I could avoid it—to greatly enlarge the total holdings of the Federal Government in my State. I would hope to treat every State—the State of California and every other State—as I would hope to have Florida treated.

If this situation were to arise in Florida, I would not want the proposed swapping of Federal lands for other lands that will become Federal lands—though they will be in a different agency—to be knocked out of the pending bill, because by the swapping of such lands we would prevent the enlargement of the Federal holdings—generally too large in every Western State—and I can easily see how the State of California would feel about this matter.

The second point I make is that I know that our Nation is in a financial stringency. I meet almost every day with conferees of the Senate, with an equally serious group from the House of Representatives, trying to work out the continuing resolution involving budgetary considerations that cover every part of the budget. We are short of money. We are very short of money. If you knock out this swap, you enlarge the amount of money that it will cost the Federal Government to set up this national park.

Mr. President, there is no way to avoid that conclusion. I have tried my best to find out, in the brief time available, how much more money will be required. I must say that I have not been able to find out. I have learned from a member of the committee that it will certainly be as much as $30 million more. I am told by another member of the committee that it might be $60 million. I am told by somebody else that it might even be higher than that.

I shall not attempt to state what the specific amount would be, because I do not know. But we all know that if you cannot swap Federal land for private land that would become Federal land, though under a different agency, you have to buy the other land and pay for it with money, of which we have mighty little.

Mr. President, I hope that the amendment will be rejected.

Mr. JACKSON. Mr. President, I yield myself 1 minute.

I believe the able Senator from Florida has put his finger on the crux of the matter. As I said earlier, there would be no argument in the Senate today if these lands were within the jurisdiction of the Department of the Interior.

The Senator from Louisiana has mentioned the administration's position. The original bill that was sent to the Senate provided that the Secretary could trade any land within the jurisdiction of the Department of the Interior in the State of California. So if these lands had been under the management, for example, of the Bureau of Land Management, which is in the Department of the Interior, there would be no argument.

When there is a dispute over management between the Department of Agriculture and the Department of the Interior, as there is in this instance, I believe Congress should step in and settle it. I do not believe we should permit the ancient rivalries between the two agencies to control.

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

Mr. JACKSON. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 10 minutes remaining.

Mr. JACKSON. I yield 8 minutes to the distinguished junior Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized for 8 minutes.

Mr. MURPHY. Mr. President, today we are considering a bill to authorize the establishment of a Redwood National Park in my State.

The proposed legislation was approved recently by the Senate Committee on Interior and Insular Affairs; and immediately it received a great deal of comment, some quite favorable and some adverse. Under the circumstances, it might be rather difficult for many persons to keep this matter in its proper perspective without undue emotion; and I hope, therefore, that my remarks today and the communications which I shall offer for the RECORD will help give the Senate a clearer picture of the issues under consideration.

First, Mr. President, I should like to point out that there has been some question in the minds of many responsible and thoughtful individuals as to whether there is, indeed, a strong and definite need at this particular time for the establishment of such a Federal forest enclave. I emphasize the word "Federal," Mr. President, because the finest stands of the towering, majestic redwoods which we all seek to preserve are already protected by existing State parks. In other words, there is no question as to whether the big trees, the historic giants, are to be granted the sanctuary they deserve. Most of them are already safe, and I think this should be remembered. I mention this solely to keep the record straight and to dispel, if possible, a little

of the air of panic and dire emergency which seems to becloud many discussions of the redwoods issue.

As I mentioned, there are those who oppose the establishment of a Federal Redwood Park of this type at this time. Then, too, there are those who support the creation of a Redwood National Park but who feel that the bill before us has serious imperfections. Among those in the latter group is Gov. Ronald Reagan, of California. On October 10, commenting on the bill now before us, Governor Reagan observed that the proposal contains some excellent provisions but fails to satisfy two provisions reasonably set forth by the State: first, that the economy of the affected area be protected and, second, that California be adequately compensated for State lands taken into the Federal park.

The Governor's views were spelled out specifically in a press release issued at the time. I am advised that his position is as strong and clear today as it was when he first commented on S. 2515, 3 weeks ago. Therefore, in behalf of the Governor, I submit his press release of October 10 for the consideration of this body:

Governor Ronald Reagan said today a Senate subcommittee bill to create a Redwood National Park in Northern California contains some excellent provisions but that it also raises several serious questions.

The Governor pointed out that he has repeatedly supported creation of a Redwood National Park so long as issues vital to California are resolved.

"It has been our position since the first Senate hearings last winter that two key provisions must be contained in any Redwood National Park proposal before it would meet with approval by this Administration, the Legislature and the people of California.

"High in all of our deliberations has been the principle that the economy of the Northern Californa area in which a park is to be located must not be seriously damaged.

"The bill as written by the Senate Interior Subcommittee goes a long way in resolving this very crucial problem, although I am very concerned that even now there are insufficient provisions for guarding against loss of jobs by residents of the area and damage to its most important industry.

"The Subcommittee is to be commended for concurring in our request that the Northern Redwood Purchase Unit now owned by the U.S. Forest Service be exchanged for privately-owned timberland. This is a key point in any plan for a park that would take thousands of acres of timberland out of production with the resultant harm to the area's basic economy.

"However, the bill as now written would apparently take nearly 13,000 acres of timber out of production despite the transfer of the Northern Redwood Purchase Unit to private operators.

"Because the North Coast's economy is almost solely based on lumbering and because the bill as now written would, it appears, still seriously damage the lumbering industry in the area, I urge the Senate to substantially reduce the private acreage to be taken so as to lessen the economic impact.

"Another point of serious concern is the proposal that California donate its three existing State redwood parks to the Federal Government. As I have said repeatedly since this Administration took office, provisions must be made to compensate California for the loss of these fine parks.

"For many years now, the State and private groups have bought thousands of acres of virgin redwoods to protect them and retain the heritage of those magnificent stands of redwoods.

"It has been our desire to cooperate to the fullest extent possible with the Federal government and in this regard we have agreed to inclusion of one or more State parks into the National Park provided the Federal government also agreed to transfer title to some of its numerous surplus properties for inclusion in the State Park System.

"In discussions that have gone on for more than eight months, representatives of the Federal Administration have agreed to transfer to the State certain seashore and other lands that California can incorporate into its park system for our burgeoning population.

"Before I could give the bill, as now written, my endorsement, I must first be further assured in writing by the Federal agencies involved that they will in fact transfer specific Federally-owned land to the State for recreational purposes.

"Meanwhile, I am confident that all concerned will continue to work together to solve this very complex and emotional issue."

That statement by Governor Reagan, Mr. President, is clear and unequivocal. It is completely just and reasonable. It represents my State's official position concerning S. 2515. As such, it surely deserves careful consideration in our evaluation of the bill before us.

It is obvious from the Governor's statement that he is seriously concerned about the possible loss of jobs by residents of the proposed Redwood Park area and about possible damage to its most important industry, lumbering. This is an important point, and it has been treated in detail in a letter sent to me by Mr. Robert O. Dehlendorf II, president of the Arcata National Corp., which would be forced to surrender more than half of its total acreage if the Redwood National Park proposed by the Interior Committee is approved. Mr. Dehlendorf's arguments constitute a thought-provoking presentation and provide the answer to many questions about some of the effects of S. 2515. Therefore, I ask unanimous consent that Mr. Dehlendorf's communication be included in the RECORD at this point in my remarks.

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

MY DEAR SENATOR: The purpose of this letter is to advise you that the reasoning cited in support of the Jackson-Kuchel bill is critically deficient in three key respects:

1. The Arcata Redwood Company, a division of Arcata National, would be forced to cease operations if the bill were enacted, with a consequent crippling economic loss to the people and community dependent upon the company for wages, local purchases and taxes. This is contrary to the Committee's report which states in pertinent part "that no company . . . will be obliged to cease operations as a result of the enactment of S2515."

2. The value of the private timberland holdings that are proposed for inclusion within the park far exceeds the amount of the requested appropriation.

3. The value assigned to the Northern Redwood Purchase Unit is greatly overstated.

Furthermore, the Committee report in support of the bill ignores the fact that there is a viable alternative park plan, submitted to the Committee's Chairman 10 days ago by three of the affected companies. This plan provides for the creation of a national redwood park of considerable size at a more sensible total cost and without causing grave hardships to the people within the proposed park area.

Arcata Redwood Company would be forced out of business because:

1. The amount of timber left in its ownership would be insufficient to maintain operations.

2. The concentration of type (species) of timber with which it would be left would run heavily to Douglas fir which the company is not equipped to process and could not equip to process because of insufficient volume.

3. Arcata's mills would be completely cut off from access to its remaining timberlands because the proposed park lands would completely surround its mill sites.

4. It can utilize less than 10% of the Purchase Unit, which is completely insufficient to maintain operations of its mills.

The human and financial impact resulting from Arcata's being forced out of business would be severe:

1. Close to 300 company employees would lose their jobs, with little prospect of obtaining positions offering similar pay and utilizing their skills with other redwood companies or the National Park Service.

2. Arcata's payroll and local purchases amounting to over $5,000,000 annually would be lost to the local economy.

3. The curtailment of local operations would add substantially to the already high unemployment rate of 7% in the area.

4. Arcata Redwood's average annual tax payments of over $1,600,000 would be lost to various governmental bodies.

5. The ultimate cost of acquiring Arcata's lands and paying resulting damage claims would exceed $140,000,000.

The appropriation of $100,000,000 requested in S2515 is grossly understated for the following reasons:

1. The bill actually requests authorization of only $40,000,000 after deducting the $60,000,000 value Senator Jackson attached publicly to the Purchase Unit being proposed as a means of exchange.

2. The ultimate cost alone of forcing Arcata Redwood out of business would exceed $140,000,000.

The value attached by Senator Jackson to the Northern Redwood Purchase Unit ($60,000,000) is greatly overstated as confirmed by Secretary Freeman:

1. The National Forest Service has built a large road network within the Unit and permitted logging to be conducted for many years on a vast majority of the land.

2. Because of poor terrain features and the considerable logging already done within the Unit, future logging would be extremely difficult and prohibitively expensive.

3. Relative to private lands proposed for acquisition, the Purchase Unit contains a higher concentration of Douglas fir and minimal quantities of quality redwood.

4. In view of the admitted quality, quantity and location problems with respect to timber within the Purchase Unit, it would require an exchange of all 14,000 acres in the Unit plus an estimated $50,000,000 to fairly compensate private owners for the acquisition of approximately 5,000 of their 13,000 old growth acres included in the bill.

5. In spite of the conditions within the Purchase Unit, Senator Jackson has placed a value of $4,300 per acre on Purchase Unit land not considered park quality and, by deduction, only $1,200 per acre on the more valuable private lands.

An alternative to the Jackson-Kuchel bill S2515 has been proposed to the Senate Interior Committee which would:

1. Not force any company out of business.

2. Provide the basis for a meaningful resolution of the redwood national park issue.

3. Leave the Northern California economy viable.

4. Reduce the financial impact on local, state and federal taxpayers alike.

5. Establish a park area which would accommodate both recreation and logging, a sensible long-range approach to multiple management of natural resources.

Your cooperation is urgently requested to assure that time is allowed for full presentation and discussion of this alternative before the pending bill is allowed to become law.

Very truly yours,

ROBERT O. DEHLENDORF II,
President, Arcata National Corp.

Mr. MURPHY. In this letter, Mr. President, we are presented with information which cannot be overlooked. We see there is evidence that this bill, S. 2515, would have a needlessly troublesome effect on private industry, on the economy of the proposed park area, and on the Federal budget itself. For instance, if just the one company of Arcata National were forced to close, 300 employees would lose their jobs and annual tax payments of $1,600,000 would be lost to various governmental bodies. Also, as indicated in the letter, the payments required to purchase the properties of this one company alone might well exceed the $100 million price tag which has been placed on S. 2515.

I repeat, Mr. President, that I feel that these and the other points in Mr. Dehlendorf's presentation are quite effective, and I respectfully recommend that they be given the most careful consideration.

At this point, Mr. President, since I have offered some rather grim forecasts from private industry concerning the damage which might be done by S. 2515, I believe that I should make the record clear that it was not the intent of the drafters of this legislation, it was not the intent of the subcommittee which approved it, it was not the intent of the committee which reported the bill to the floor, and it shall not be the intent of this body if the legislation is approved to put any private concern out of business. This is made clear in the committee report. In fact, the exact words of that report are:

The Committee believes that no company which has a genuine interest in staying in the redwood timber business will be obliged to cease operations as a result of the enactment of S. 2515.

I take the committee at its word, Mr. President; and I feel that I know most of the committee members well enough to be certain that they fully intend to have private industry maintain its operations according to sound, everyday business principles which can continue to produce employment, profits, taxes, and all the other normal byproducts associated with production under our free enterprise system. I propose, Mr. President, that this is the sense of the committee and of the Senate, and if I am in error, I respectfully request that I be corrected accordingly.

Before concluding, I wish to offer a few additional figures which should be kept in mind in our deliberations on this bill. At present, 48 percent of the land in the State of California is owned by the Federal Government. Of this amount, the Department of the Interior owns 22 million acres, or over 21 percent of all of the land acreage of the State.

That is the situation insofar as the entire State is concerned, but now let us consider Del Norte and Humboldt Counties, where the proposed Redwood National Park would be established. In Del Norte County, the Government already owns 73.62 percent of the land, and the bill before us today would add another 10,000 acres to that amount. In Humboldt County, 21 percent of the land is now under Government ownership, and the present bill would take approximately 22,000 acres more. To all of my colleagues, and especially to those from States where Federal land ownership is a problem, I recommend a careful consideration of these facts.

At the beginning of my remarks, I submitted Governor Reagan's statement of policy concerning the points he feels are necessary if a Redwood National Park bill is to be acceptable to the State of California. I reemphasize those considerations now.

First, there must be safeguards for the lumbering industry in the area. I have discussed this point at length, but I mention it again because of the Governor's strong insistence on it and because we must not forget that hundreds of people whose livelihoods depend on lumbering have an enormous stake in the action we take today.

Second, as Governor Reagan has stressed, there must be adequate compensation for California for the loss of the State parks which would be included in the Federal Redwood Park. The Governor's office has been working with the Federal Government toward this end, and, and I trust that these efforts will continue so that a fair and equitable solution can be attained.

In conclusion, Mr. President, let me say that I realize, of course, that with so many divergent interests involved, it is not easy to arrive at a position which will accurately reflect the interests of the people of California, as they have been well expressed by Governor Reagan, of the affected counties, of the private industries which are threatened, and of the conservationists. I hope, however, that a satisfactory solution may be attained, and I join with Governor Reagan in the hope that all interested parties will continue to work together to bring about a true solution to this complex issue.

The PRESIDING OFFICER. Who yields time?

Mr. ELLENDER. I yield 10 minutes to the Senator from Mississippi.

Mr. STENNIS. I thank the Senator.

Mr. President, I do not wish to impose upon the Senate, but I desire to reiterate what has been said already with reference to the policy we will be getting into unless it is rectified by the proposed amendment.

I speak now with great deference to the great State of California, and particularly to its fine Senators. It appears to me that when you say, "If you don't let us exchange this land, we won't get the park," or if you say, "The only way to get the park is to exchange the land," ultimatums are being given to Congress on a matter that is purely a national question. We will have to decide here the responsibility of establishing the park and the conditions upon which it is to be established.

I am willing to support the bill, but I am not willing to meet the situation in a way—whether desired by the Governor of California or by any other Governor or by the people of any county—which would butcher a policy that is of great benefit to the remainder of the Nation, as well as to my own State. I believe we must look at the policy question and that that should control. That is my opinion.

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

Mr. STENNIS. I will yield for a brief question.

Mr. KUCHEL. The Senator will not say, though, that there never has been an instance in which the Federal Government has taken some property of its own and used it in exchange for what it deemed to be a higher public interest.

Mr. STENNIS. I said the opposite of what the Senator suggests I said. I said that we have this national policy; that we are about to junk it, literally butcher it, in order to meet a partly local situation.

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

Mr. STENNIS. I yield.

Mr. AIKEN. The Federal Government exchanges forest land for other land which becomes part of the national forest and not part of some other establishment.

Mr. STENNIS. The Senator is correct. We exchange land all the time that way and have built up the forest, particularly contiguous acreage, in that way. That is sound policy, also.

I plead for the policy here. I would not plead for the employees of one agency over another. One is entitled to as much protection as the other. The policy must prevail.

There has been no guarantee or suggestion that to secure this park either way it will cost only $100 million. I would not be surprised if it were to cost more. We would authorize only $100 million by this bill. I suspect that there will be requests for additional authorizations.

No firm money value has been supplied with respect to the redwood park for which it is proposed to buy the land; and there has been no firm evaluation as to what we are going to give up, what we will have to pay in order to get it—I mean in land, in reproductive resources, and employment for hundreds of people.

No firm figures are in the bill, and I am disapointed about that. Although I will vote for the bill, I will have to do it with my eyes closed, moneywise. Let us not stumble over figures that are not firm and talk about saving money when we do not know how much the entire bill will cost, and thereby put in jeopardy the nationwide policy of cutting in on the national forests, one of the finest investments the Federal Government has ever made in money value, if nothing more.

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

Mr. STENNIS. I yield.

Mr. MURPHY. Mr. President, I have the greatest regard for the Senator's position and for the wisdom of his argument. But this is not really cutting in.

This would be substituting other land which is land of higher quality than the Federal land. Actually, therefore, the Federal Government would be gaining by this and not losing, and the forest that would be created in perpetuity would be

much more desirable and valuable than the condition which exists at the present time.

Mr. STENNIS. I appreciate the Senator's remarks.

I enjoy the majesty of these trees. However, we are giving up policies, we are giving up principles and we are giving up money-producing property and revenue-producing property. With respect to these national forests, on a dollar investment, there has been no finer investment made by the Federal Government. I am not the owner of a lot of forest land but I am not a stranger to the way this has been worked out by the national forests on reforestation and giving us another chance, in areas like mine, where we are back in real production. I am in sympathy with it. I do not desire any credit for the fact that I have done much work on forestry research.

In my area we have oil and gas but long after those oil wells are dry and the gas is gone those trees we are producing there on a basis of systematic sustained yield will be producing for hundreds of thousands of people, and that is true in other areas of the country.

Let us not intrude on the policy of the national forests. Let us give them what they think necessary for this fine area to make it one of the greatest parks in the world and bring people there from everywhere. But let us cling to this policy in our areas that means so much to us.

I thank the Senator.

Mr. ELLENDER. Mr. President, I yield 5 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, in 1953 Ohio celebrated its 150th anniversary. The principal observance of that anniversary was a program to plant trees in 1953 in Ohio.

My deep concern about the Nation has been the denuding of the land. We build concrete highways, and we build new structures of concrete. Everywhere trees are being sawed down and concrete becomes the replacement for grass, shrubs, flowers, and trees.

This bill involves two propositions: One proposition is, Shall we only acquire the redwood forest with its magnificent trees of ages—I do not know how many; 300 or 400 years—or two, shall we also retain the 14,500 acres bearing less aged trees?

My judgment is that in the United States we have no deeper obligation than to keep the land covered with trees, flowers, and shrubs.

Mr. President, about 2 o'clock this morning I read a book on China. One of the boasts of the Communists is that since they have come into power they have planted 30 billion trees. The book contains the statement that China had 5 percent of its land covered by trees. Sterile, barren land was everywhere. Vegetation was nowhere. They have a right to claim great credit when they say, "We planted 30 billion trees."

In the years 1953 through 1956, while I was Governor of Ohio, we planted 30 million trees a year. Sadly and painfully that program was abandoned in 1957.

Mr. President, I support the Senator from Louisiana [Mr. ELLENDER] in his argument that we should retain those 14,500 acres that are now in the forestry division. I supported it because we are now, under programs of President Kennedy and President Johnson, spending millions of dollars to replant.

I travel over the beltway and I see the purchasing of pines and cedars for planting. That purchasing would not be necessary if we had not cut down the grasses, the vegetation, the trees, and the shrubbery.

Therefore, Mr. President, I am of the opinion that instead of desecrating the land, butchering it, and raping it by cutting down present vegetation and trees, we keep the land in its pristine state. Mr. President, that would be the effect of the amendment of the Senator from Louisiana: 14,500 acres of redwoods, in their infancy, would remain intact.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). Who yields time?

Mr. JACKSON. I am prepared to yield back the remainder of my time. I defer to the Senator from Louisiana.

Mr. ELLENDER. Does the Senator from Washington have time remaining?

Mr. JACKSON. Yes, I have 5 minutes remaining, but I have nothing further to add.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ELLENDER. Mr. President, I wish to summarize many of the arguments that I have placed before the Senate, heretofore.

There is nothing in the bill that would force the State of California to give up the three parks that are now encompassed in the so-called Redwood Park. In addition, it is estimated that it will cost about $30 million to build roads, and a few things here and there, in order to make the park accessible to the people. There is an estimate that there will be required just under $1 million to maintain the park year round.

Mr. President, national forests should be maintained intact. It has been stated, "When private timberlands are needed by the Federal Government in the public interest, payment should be made in cash and not in kind." I am in full agreement with that statement. That is a statement made by Mr. Udall in answer to a query from the Senator from New Mexico [Mr. ANDERSON].

As has been shown, this 14,500 acres of land has been producing in recent years 20 million board feet of timber annually. In that respect, the Government reaps quite a lot of benefits. Those who purchase this timber would be more or less small mills which have been constructed in that area. If this land is transferred to the four large companies—as a matter of fact, I think there is one which will probably own over half the 14,500 acres—it will mean that the small sawmills which have been constructed in anticipation of obtaining this timber for sawing will, in a short time, be out of business.

Another thing. The county in which this land is located will suffer in the long run because the sustained growth of the timber on those 14,500 acres will increase from year to year and, of course, the county revenues will also increase from year to year. But, if this land is transferred to the four large corporations, there is no telling what will be done.

They might do in that area what was done in my State not too long ago.

I can well remember, as a boy, going through the virgin timberlands of central and western Louisiana, and where I live in Terrebonne Parish, where we had the finest growth of cypress trees imaginable on the place where I was born. All that is left now is a heritage of charred stumps where the trees once stood. Some of them measured 14 feet in diameter. Today, they are all gone.

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

Mr. MANSFIELD. Mr. President, I yield 2 additional minutes to the Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 2 additional minutes.

Mr. ELLENDER. I thank the Senator from Montana.

There were many acres of virgin longleaf and shortleaf. The land there, up to approximately 10 years ago, was denuded and Louisiana enacted laws to make it advantageous for landowners to plant trees on that denuded land. The way they did it was to impose a severance tax instead of a tax on the land. Also incentives were given the landowners.

Mr. President, I hope that this amendment will be adopted and that we do not change a policy of long standing, and one which was agreed to by Secretary of the Interior Udall, by the Bureau of the Budget, by the President, and everyone else who is interested in preserving our national forests.

Mr. NELSON. Mr. President, in the last session of Congress, I supported the proposal to establish a 90,000-acre Redwood National Park and again in this session I joined the Senator from Montana [Mr. METCALF] in reintroducing that measure.

The redwood forests represent a most precious part of our national heritage. I feel strongly that we must move to preserve at least some of the old growth redwoods that remain.

This issue has been clouded by controversy and confused by myriad claims and counterclaims. Out of all this chaos, the Interior and Insular Affairs Committee under the capable leadership of my distinguished colleagues Senators JACKSON, BIBLE, and KUCHEL has produced a significant compromise bill which combines the best of all the proposals, and which will insure the preservation of the finest remaining redwoods.

The original redwood forests covered 1,950,000 acres although less than 750,000 acres are left today. About 50,000 acres are currently protected in State parks—this is about 2.5 percent of the original acreage. S. 2515 would insure protection for an additional 13,000 acres or about 0.7 percent of the original acreage.

I am pleased with that provision in the bill which gives the Secretary of the Interior a 3,000-acre cushion for land acquisition. Erosion in the redwoods area is a particularly critical problem.

There is the constant threat of downslope areas being bruised by materials washed down from logged-over uplands.

The additional 3,000 acres will give the Secretary the flexibility to protect certain areas threatened by erosion. I am not certain that 3,000 acres will be enough and hope that consideration will be given to the possibility of raising the acreage ceiling on the park to 70,000. I see this as discretionary authority for the Secretary that would enable him, if necessary, and if funds are available, either from the Federal Government or from donations, to protect the magnificent park that this bill will establish.

I am opposed to the trading of Forest Service lands for private lands within the park unless it turns out to be the only way that we can get a Redwood National Park. I am convinced that we must have a Redwood National Park. The redwoods, like so many of our natural resources, are threatened by extinction. We simply cannot afford to let them be destroyed. We must act quickly to preserve them.

Mr. MANSFIELD. Mr. President, I ask unanimous consent, in view of the statement made earlier than the vote would take place at 2:30 o'clock, that there be a quorum call for 2 minutes and then that the vote take place.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The question is on agreeing to the amendment of the Senator from Louisiana.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KUCHEL. A "nay" vote would keep the bill intact as it is at the desk; is that correct?

The PRESIDING OFFICER. A "nay" vote would be to reject the amendment.

Mr. KUCHEL. I thank the Chair.

The PRESIDING OFFICER. All time has now been yielded back. The yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BARTLETT (when his name was called). On this vote I have a live pair with the senior Senator from Washington [Mr. MAGNUSON]. If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." Therefore I withhold my vote.

The rollcall was concluded.

Mr. BENNETT (after having voted in the affirmative). Mr. President, on this vote I have a pair with the Senator from Nebraska [Mr. CURTIS]. If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Nevada [Mr. CANNON], the Senator from Pennsylvania [Mr. CLARK], the Senator from Alabama [Mr. HILL], the Senator from Missouri [Mr. LONG], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Rhode Island [Mr. PASTORE] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Idaho [Mr. CHURCH], the Senator from Connecticut [Mr. DODD], the Senator from Washington [Mr. MAGNUSON], and the Senator from West Virginia [Mr. RANDOLPH] are necessarily absent.

I further announce that, if present and voting, the Senator from Nevada [Mr. BIBLE], the Senator from Nevada [Mr. CANNON], the Senator from West Virginia [Mr. RANDOLPH] would each vote "nay."

I further announce that, if present and voting, the Senator from Rhode Island [Mr. PASTORE] would vote "yea."

On this vote, the Senator from New Mexico [Mr. ANDERSON] is paired with the Senator from Illinois [Mr. DIRKSEN]. If present and voting, the Senator from New Mexico would vote "yea," and the Senator from Illinois would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] is absent on official business.

The Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Illinois [Mr. DIRKSEN], and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

If present and voting, the Senator from Pennsylvania [Mr. SCOTT] would vote "nay."

The pair of the Senator from Nebraska [Mr. CURTIS] has been previously announced.

On this vote, the Senator from Illinois [Mr. DIRKSEN] is paired with the Senator from New Mexico [Mr. ANDERSON]. If present and voting, the Senator from Illinois would vote "nay," and the Senator from New Mexico would vote "yea."

The result was announced—yeas 30, nays 51, as follows:

[No. 304 Leg.]

YEAS—30

Aiken	Hatfield	Proxmire
Boggs	Hollings	Ribicoff
Byrd, Va.	Lausche	Russell
Byrd, W. Va.	Long, La.	Smathers
Eastland	McClellan	Smith
Ellender	Monroney	Sparkman
Ervin	Morse	Stennis
Fulbright	Nelson	Symington
Gore	Pell	Williams, Del.
Hart	Prouty	Yarborough

NAYS—51

Allott	Hayden	Miller
Baker	Hickenlooper	Mondale
Bayh	Holland	Morton
Brewster	Inouye	Moss
Brooke	Jackson	Mundt
Burdick	Javits	Murphy
Case	Jordan, N.C.	Muskie
Cooper	Jordan, Idaho	Pearson
Cotton	Kennedy, Mass.	Percy
Dominick	Kennedy, N.Y.	Spong
Fannin	Kuchel	Talmadge
Fong	Mansfield	Thurmond
Griffin	McCarthy	Tower
Gruening	McGee	Tydings
Hansen	McGovern	Williams, N.J.
Harris	McIntyre	Young, N. Dak.
Hartke	Metcalf	Young, Ohio

NOT VOTING—19

Anderson	Bible	Church
Bartlett	Cannon	Clark
Bennett	Carlson	Curtis
Dirksen	Long, Mo.	Randolph
Dodd	Magnuson	Scott
Hill	Montoya	
Hruska	Pastore	

So the Anderson-Ellender amendment was rejected.

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. KUCHEL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. 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. MANSFIELD. Mr. President, I ask unanimous consent that immediately following the vote on the bill, the distinguished Senator from Oregon [Mr. MORSE] be recognized for not to exceed 10 minutes, and that, following the Senator from Oregon, the distinguished Senator from Massachusetts [Mr. BROOKE] be recognized for 20 minutes. I do this so that we can proceed without interruption to a vote on the bill.

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

Mr. JACKSON. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. All time having expired, the question is, Shall the bill pass?

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COTTON. Mr. President, may we have order?

Mr. MANSFIELD. Mr. President, I ask that the Chamber be cleared, except for the presence of Senators and others who have business here.

The PRESIDING OFFICER. The Senate will be in order. The Chamber will be cleared, except for those persons having business on the floor of the Senate. The Sergeant at Arms will execute the order of the Senate.

The clerk may proceed.

Mr. MANSFIELD. Mr. President, the Chamber is still not cleared of those who do not have business here.

The PRESIDING OFFICER. The Chamber will be cleared. All persons without business on the floor of the Senate will retire from the Chamber. Persons having business in the Chamber will be seated. The Sergeant at Arms will see to the execution of the order.

The clerk may proceed with the rollcall.

The rollcall was concluded.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Nevada [Mr. CANNON], the Senator from Pennsylvania [Mr. CLARK], the Senator from Alabama [Mr. HILL], the Senator from Missouri [Mr. LONG], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Rhode Island [Mr. PASTORE] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Idaho [Mr. CHURCH], the Senator from Connecticut [Mr. DODD], the Senator from Washington [Mr. MAGNUSON], and the Senator from West Virginia [Mr. RANDOLPH] are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. BIBLE], the Senator from Nevada [Mr. CANNON], the Senator from Pennsylvania [Mr. CLARK], the Senator from Washington [Mr. MAGNUSON], the Senator from Rhode Island [Mr. PASTORE], and the Senator from West Virginia [Mr. RANDOLPH] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] is absent on official business.

The Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Illinois [Mr. DIRKSEN], and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

If present and voting, the Senator from Kansas [Mr. CARLSON], the Senator from Illinois [Mr. DIRKSEN], and the Senator from Pennsylvania [Mr. SCOTT] would each vote "yea."

The result was announced—yeas 77, nays 6, as follows:

[No. 305 Leg.]

YEAS—77

Aiken	Hatfield	Moss
Allott	Hayden	Mundt
Baker	Hickenlooper	Murphy
Bartlett	Holland	Muskie
Bayh	Hollings	Nelson
Bennett	Inouye	Pearson
Boggs	Jackson	Pell
Brewster	Javits	Percy
Brooke	Jordan, N.C.	Prouty
Burdick	Jordan, Idaho	Ribicoff
Byrd, Va.	Kennedy, Mass.	Smathers
Byrd, W. Va.	Kennedy, N.Y.	Smith
Case	Kuchel	Sparkman
Cooper	Lausche	Spong
Cotton	Long, La.	Stennis
Dominick	Mansfield	Symington
Eastland	McCarthy	Talmadge
Fannin	McGee	Thurmond
Fong	McGovern	Tower
Gore	McIntyre	Tydings
Griffin	Metcalf	Williams, N.J.
Gruening	Miller	Williams, Del.
Hansen	Mondale	Yarborough
Harris	Monroney	Young, N. Dak.
Hart	Morse	Young, Ohio
Hartke	Morton	

NAYS—6

Ellender	Fulbright	Proxmire
Ervin	McClellan	Russell

NOT VOTING—17

Anderson	Curtis	Magnuson
Bible	Dirksen	Montoya
Cannon	Dodd	Pastore
Carlson	Hill	Randolph
Church	Hruska	Scott
Clark	Long, Mo.	

So the bill (S. 2515) was passed, as follows:

S. 2515

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the purpose of this Act is to preserve in their natural settings for the inspiration and enjoyment of present and future generations, remaining virgin and old growth stands of the redwoods, the tallest living trees in the world.

SEC. 2. In furtherance of the purposes of this Act, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to establish the Redwood National Park (hereinafter referred to as the "park") in the State of California. The boundaries of the park shall be as generally depicted on the drawing numbered NP-RED-7112, and dated October 1967, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. The Secretary may revise the boundaries of the park from time to time by publication in the Federal Register of a revised drawing or other boundary description, but the total acreage within the park shall not be increased to more than sixty-four thousand acres, exclusive of submerged lands.

SEC. 3. (a) The Secretary may acquire lands or interests therein within the boundaries of the park and not more than ten acres of land outside of the park boundaries in the vicinity of Crescent City, California, and Orick, California, for two administrative sites of not more than five acres each, by donation, purchase with donated or appropriated funds, or exchange. When an individual tract of land is only partly within such boundaries, the Secretary may acquire all or any portion of the land outside of such boundaries in order to minimize the payment of severance costs. Land so acquired outside of the park boundaries may be exchanged by the Secretary for non-Federal lands within the park boundaries. Any land or interests therein owned by the State of California within the boundaries of the park may be acquired only by donation. Notwithstanding any other provision of law, any Federal property located within the boundaries of the park may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for the purposes of the park. The Secretary may enter into contracts requiring the expenditure, when appropriated, of funds authorized by section 6 of this Act, but the liability of the United States under any such contract shall be contingent on the appropriation of funds sufficient to fulfill the obligations thereby incurred.

(b) In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the park, and outside of such boundaries within the limits prescribed in subsection (a) of this section. Notwithstanding any other provision of law, the Secretary may acquire such property from the grantor by exchange for any federally owned property under the jurisdiction of the Bureau of Land Management in California, except property needed for public use and management, which he classifies as suitable for exchange or other disposal, or any federally owned property he may designate within the Northern Redwood Purchase Unit in Del Norte County, California. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the value shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. Through the exercise of his exchange authority, the Secretary shall, to the extent possible, minimize economic dislocation and the disruption of the grantor's commercial operations.

(c) The owner of land acquired with monetary consideration and the Secretary may agree that the purchase price will be paid in periodic installments over a period that does not exceed ten years, with interest on unpaid balances at a rate not in excess of the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities on the installments.

SEC. 4. (a) Any owner or owners (hereinafter in this section referred to as "owner") of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term not to exceed twenty-five years, or, in lieu thereof, for a term ending at the death of the owner, or the death of his spouse, whichever is the later. The owner shall elect the term to be reserved. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such date of the right retained by the owner.

(b) A right of use and occupancy retained pursuant to this section shall be subject to termination by the Secretary upon his determination that such use and occupancy is being exercised in a manner not consistent with the purposes of this Act, and, upon tender to the holder of the right an amount equal to the fair market value of that portion of the right which remains unexpired, such right of use and occupancy shall terminate by operation of law.

(c) The term "improved property", as used in this section, shall mean a detached, noncommercial residential dwelling, the construction of which was begun before October 9, 1967, together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

SEC. 5. The Secretary shall administer the park in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), as amended and supplemented.

SEC. 6. There are hereby authorized to be appropriated $100,000,000 for land acquisition to carry out the provisions of this Act.

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider executive business.

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

SUPPLEMENTARY SLAVERY CONVENTION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Executive L, 88th Congress, first session.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the treaty (Ex. L, 88th Cong., first sess.), which was read the second time, as follows:

SUPPLEMENTARY CONVENTION ON THE ABOLITION OF SLAVERY, THE SLAVE TRADE, AND INSTITUTIONS AND PRACTICES SIMILAR TO SLAVERY

PREAMBLE

The States Parties to the present Convention Considering that freedom is the birthright of every human being;

Mindful that the peoples of the United Nations reaffirmed in the Charter their faith

in the dignity and worth of the human person;

Considering that the Universal Declaration of Human Rights, proclaimed by the General Assembly of the United Nations as a common standard of achievement for all peoples and all nations, states that no one shall be held in slavery or servitude and that slavery and the slave trade shall be prohibited in all their forms;

Recognizing that, since the conclusion of the Slavery Convention signed at Geneva on 25 September 1926, which was designed to secure the abolition of slavery and of the slave trade, further progress has been made towards this end;

Having regard to the Forced Labour Convention of 1930 and to subsequent action by the International Labour Organisation in regard to forced or compulsory labour;

Being aware, however, that slavery, the slave trade and institutions and practices similar to slavery have not yet been eliminated in all parts of the world;

Having decided, therefore, that the Convention of 1926, which remains operative, should now be augmented by the conclusion of a supplementary convention designed to intensify national as well as international efforts towards the abolition of slavery, the slave trade and institutions and practices similar to slavery;

Have agreed as follows:

SECTION I. INSTITUTIONS AND PRACTICES SIMILAR TO SLAVERY

Article 1

Each of the States Parties to this Convention shall take all practicable and necessary legislative and other measures to bring about progressively and as soon as possible the complete abolition or abandonment of the following institutions and practices, where they still exist and whether or not they are covered by the definition of slavery contained in article 1 of the Slavery Convention signed at Geneva on 25 September 1926:

(*a*) Debt bondage, that is to say, the status or condition arising from a pledge by a debtor of his personal services or of those of a person under his control as security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined;

(*b*) Serfdom, that is to say, the condition or status of a tenant who is by law, custom or agreement bound to live and labour on land belonging to another person and to render some determinate service to such other person, whether for reward or not, and is not free to change his status;

(*c*) Any institution or practice whereby:

(i) A woman, without the right to refuse, is promised or given in marriage on payment of a consideration in money or in kind to her parents, guardian, family or any other person or group; or

(ii) The husband of a woman, his family, or his clan, has the right to transfer her to another person for value received or otherwise; or

(iii) A woman on the death of her husband is liable to be inherited by another person;

(*d*) Any institution or practice whereby a child or young person under the age of 18 years is delivered by either or both of his natural parents or by his guardian to another person, whether for reward or not, with a view to the exploitation of the child or young person or of his labour.

Article 2

With a view to bringing to an end the institutions and practices mentioned in article 1(*c*) of this Convention, the States Parties undertake to prescribe, where appropriate, suitable minimum ages of marriage, to encourage the use of facilities whereby the consent of both parties to a marriage may be freely expressed in the presence of a competent civil or religious authority, and to encourage the registration of marriages.

SECTION II. THE SLAVE TRADE

Article 3

1. The act of conveying or attempting to convey slaves from one country to another by whatever means of transport, or of being accessory thereto, shall be a criminal offense under the laws of the States Parties to this Convention and persons convicted thereof shall be liable to very severe penalties.

2. (*a*) The States Parties shall take all effective measures to prevent ships and aircraft authorized to fly their flags from conveying slaves and to punish persons guilty of such acts or of using national flags for that purpose.

(*b*) The States Parties shall take all effective measures to ensure that their ports, airfields and coasts are not used for the conveyance of slaves.

3. The State Parties to this Convention shall exchange information in order to ensure the practical co-ordination of the measures taken by them in combating the slave trade and shall inform each other of every case of the slave trade, and of every attempt to commit this criminal offence, which comes to their notice.

Article 4

Any slave who takes refuge on board any vessel of a State Party to this Convention shall *ipso facto* be free.

SECTION III. SLAVERY AND INSTITUTIONS AND PRACTICES SIMILAR TO SLAVERY

Article 5

In a country where the abolition or abandonment of slavery, or of the institutions or practices mentioned in article 1 of this Convention, is not yet complete, the act of mutilating, branding or otherwise marking a slave or a person of servile status in order to indicate his status, or as a punishment, or for any other reason, or of being accessory thereto, shall be a criminal offence under the laws of the States Parties to this Convention and persons convicted thereof shall be liable to punishment.

Article 6

1. The act of enslaving another person or of inducing another person to give himself or a person dependent upon him into slavery, or of attempting these acts, or being accessory thereto, or being a party to a conspiracy to accomplish any such acts, shall be a criminal offence under the laws of the States Parties to this Convention and persons convicted thereof shall be liable to punishment.

2. Subject to the provisions of the introductory paragraph of article 1 of this Convention, the provisions of paragraph 1 of the present article shall also apply to the act of inducing another person to place himself or a person dependent upon him into the servile status resulting from any of the institutions or practices mentioned in article 1, to any attempt to perform such acts, to bring accessory thereto, and to being a party to a conspiracy to accomplish any such acts.

SECTION IV. DEFINITIONS

Article 7

For the purposes of the present Convention:

(*a*) "Slavery" means, as defined in the Slavery Convention of 1926, the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised, and "slave" means a person in such condition or status;

(*b*) "A person of servile status" means a person in the condition or status resulting from any of the institutions or practices mentioned in article 1 of this Convention;

(*c*) "Slave trade" means and includes all acts involved in the capture, acquisition or disposal of a person with intent to reduce him to slavery; all acts involved in the acquisition of a slave with a view to selling or exchanging him; all acts of disposal by sale or exchange of a person acquired with a view to being sold or exchanged; and, in general, every act of trade or transport in slaves by whatever means of conveyance.

SECTION V. CO-OPERATION BETWEEN STATES PARTIES AND COMMUNICATION INFORMATION

Article 8

1. The States Parties to this Convention undertake to co-operate with each other and with the United Nations to give effect to the foregoing provisions.

2. The Parties undertake to communicate to the Secretary-General of the United Nations copies of any laws, regulations and administrative measures enacted or put into effect to implement the provisions of this Convention.

3. The Secretary-General shall communicate the information received under paragraph 2 of this article to the other Parties and to the Economic and Social Council as part of the documentation for any discussion which the Council might undertake with a view to making further recommendations for the abolition of slavery, the slave trade or the institutions and practices which are the subject of this Convention.

SECTION VI. FINAL CLAUSES

Article 9

No reservations may be made to this Convention.

Article 10

Any dispute between States Parties to this Convention relating to its interpretation or application, which is not settled by negotiation, shall be referred to the International Court of Justice at the request of any one of the parties to the dispute, unless the parties concerned agree on another mode of settlement.

Article 11

1. This Convention shall be open until 1 July 1957 for signature by any State Member of the United Nations or of a specialized agency. It shall be subject to ratification by the signatory States, and the instruments of ratification shall be deposited with the Secretary-General of the United Nations, who shall inform each signatory and acceding State.

2. After 1 July 1957 this Convention shall be open for accession by any State Member of the United Nations or of a specialized agency, or by any other State to which an invitation to accede has been addressed by the General Assembly of the United Nations. Accession shall be effected by the deposit of a formal instrument with the Secretary-General of the United Nations, who shall inform each signatory and acceding State.

Article 12

1. This Convention shall apply to all non-self-governing, trust, colonial and other non-metropolitan territories for the international relations of which any State Party is responsible; the Party concerned shall, subject to the provisions of paragraph 2 of this article, at the time of signature, ratification or accession declare the non-metropolitan territory or territories to which the Convention shall apply *ipso facto* as a result of such signature, ratification or accession.

2. In any case in which the previous consent of a non-metropolitan territory is required by the constitutional laws or practices of the Party or of the non-metropolitan territory, the Party concerned shall endeavor to secure the needed consent of the non-metropolitan territory within the period of twelve months from the date of signature of the Convention by the metropolitan State, and when such consent has been obtained the Party shall notify the Secretary-General. This Convention shall apply to the terri-

tory or territories named in such notification from the date of its receipt by the Secretary-General.

3. After the expiry of the twelve month period mentioned in the preceding paragraph, the States Parties concerned shall inform the Secretary-General of the results of the consultations with those non-metropolitan territories for whose international relations they are responsible and whose consent to the application of this Convention may have been withheld.

Article 13

1. The Convention shall enter into force on the date on which two States have become Parties thereto.

2. It shall thereafter enter into force with respect to each State and territory on the date of deposit of the instrument of ratification or accession of that State or notification of application to that territory.

Article 14

1. The application of this Convention shall be divided into successive periods of three years, of which the first shall begin on the date of entry into force of the Convention in accordance with paragraph 1 of article 13.

2. Any State Party may denounce this Convention by a notice addressed by that State to the Secretary-General not less than six months before the expiration of the current three-year period. The Secretary-General shall notify all other Parties of each such notice and the date of the receipt thereof.

3. Denunciations shall take effect at the expiration of the current three-year period.

4. In cases where, in accordance with the provisions of article 12, this Convention has become applicable to a non-metropolitan territory of a Party, that Party may at any time thereafter, with the consent of the territory concerned, give notice to the Secretary-General of the United Nations denouncing this Convention separately in respect of that territory. The denunciation shall take effect one year after the date of the receipt of such notice by the Secretary-General, who shall notify all other Parties of such notice and the date of the receipt thereof.

Article 15

This Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations Secretariat. The Secretary-General shall prepare a certified copy thereof for communication to States Parties to this Convention, as well as to all other States Members of the United Nations and of the specialized agencies.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed this Convention on the date appearing opposite their respective signatures.

DONE at the European Office of the United Nations at Geneva, this seventh day of September one thousand nine hundred and fifty six.

For Afghanistan:
For Albania:
For Argentina:
For Australia:
G. JOCKEL
For Austria:
For the Kingdom of Belgium:
MARC SOMERHAUSEN
For Bolivia:
For Brazil:
For Bulgaria:
For the Union of Burma:
For the Byelorussian Soviet Socialist Republic:
K. ABUSHKEVICH
For Cambodia:
For Canada:
R. HARRY JAY
For Ceylon:
For Chile:
For China:
For Colombia:
For Costa Rica:
For Cuba:
For Czechoslovakia:
PRIBYSLAV PAVLÍK
For Denmark:
For the Dominican Republic:
For Ecuador:
For Egypt:
For El Salvador:
ALBERT AMY
For Ethiopia:
For Finland:
For France:
E. GIRAUD
For the Federal Republic of Germany:
RUDOLF THIERFELDER
For Greece:
ANTOINE POUMPOURA
For Guatemala:
DUPONT-WILLEMIN
For Haiti:
WESNAR APOLLON
For Honduras:
For Hungary:
VITÁNYI BÉLA
For Iceland:
For India:
K. V. PADMANABHAN
For Indonesia:
For Iran:
For Iraq:
K. DAGHISTANI
For Ireland:
For Israel:
MENAHEM KAHANY
For Italy:
FEDERICO PESCATORI
For Japan:
For the Hashemite Kingdom of Jordan:
For the Republic of Korea:
For Laos:
For Lebanon:
For Liberia:
A. DASH WILSON
ARTHUR B. CASSELL
For Libya:
For the Grand Duchy of Luxembourg:
ELTER
For Mexico:
E. Calderón Puig
For Monaco:
For Morocco:
For Nepal:
For the Kingdom of the Netherlands:
A. F. W. LUNSINGH MEIJER
For New Zealand:
For Nicaragua:
For the Kingdom of Norway:
JOHAN CAPPELEN
For Pakistan:
S. S. JAFRI
For Panama:
For Paraguay:
For Peru:
MAX DE LA FUENTE LOCKER
For the Philippine Republic:
For Poland:
JURKIEWICZ
For Portugal:
FRANCO NOGUEIRA
ADRIANO MOREIRA
For Romania:
D. OLTEANU
For San Marino:
H. REYNAUD
For Saudi Arabia:
For Spain:
For the Sudan:
AHMED ATABANI
For Sweden:
For Switzerland:
For Syria:
For Thailand:
For Tunisia:
For Turkey:
For the Ukrainian Soviet Socialist Republic:
MIKHAILENKO
For the Union of South Africa:
For the Union of Soviet Socialist Republics:
A. CHISTYAKOV
For the United Kingdom of Great Britain and Northern Ireland:
DAVID SCOTT FOX
For the United States of America:
For Uruguay:
For Vatican City;
For Venezuela:
For Viet-Nam:
KHIEM
For Yemen:
For Yugoslavia:
G. VLAHOV

I hereby certify that the foregoing text is a true copy of the . . . Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices similar to Slavery, adopted by the United Nations Conference of Plenipotentiaries on a Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices similar to Slavery, held at Geneva from 13 August to 4 September 1956, the original of which is deposited with the Secretary-General of the United Nations.

For the Secretary-General:
/S/ C. A. STAVROPOULOS,
The Legal Counsel.

UNITED NATIONS, NEW YORK, *31 October 1956.*

Mr. MANSFIELD. Mr. President, this treaty came from the Foreign Relations Committee unanimously.

Mr. FULBRIGHT. Mr. President, I need to say only a few words about the Supplementary Slavery Convention. The Committee on Foreign Relations reported it favorably to the Senate by a vote of 19 to 0.

As its title indicates, the treaty supplements one already in existence—the Slavery Convention of 1926 to which the United States became a party in 1929. That treaty dealt primarily with the prevention and suppression of the slave trade and the abolition of slavery. The Supplementary Convention further deals with the slave trade by making this a criminal offense under the laws of the contracting states and by providing that any slave taking refuge aboard a vessel of a contracting state shall be ipso facto free.

For the most part, however, the Supplementary Convention deals with institutions and practices similar to slavery. Article 1 requires the parties to abolish debt bondage, serfdom, involuntary marriage, or transfer of women for consideration in money or in kind, transfer of widows as inherited property, and exploitation of children. By article 2, nations are required to prescribe, where appropriate, suitable minimum ages of marriage and to encourage facilities for consent to, and the registration of, marriages. Article 3 and 4 deal with the slave trade and have already been referred to. Article 5 makes it a criminal offense to mutilate, brand, or mark a slave or person of servile status. Article 6 similarly deals with the act of enslaving or inducing another person into slavery or attempting these acts, or being an accessory or a party to a conspiracy to do any of these things. The remaining articles of the convention cover definitions, cooperation and exchange of information and final clauses. Of note are article 9, which prohibits any reservations, and article 10, which provides for the reference of disputes to the International Court of Justice under a procedure to which the so-

called Connally reservation would not apply.

The Supplementary Slavery Convention was signed on September 7, 1956, but not by the United States at that time. Accession to it was recommended by President Kennedy on July 22, 1963. In the report accompanying the President's message, Secretary of State Rusk wrote:

The substance of this convention lies within the Federal power and no substantial legal questions are involved inasmuch as slavery through such practices is already forbidden in the United States under Federal and State laws. The Department of Justice and the Department of the Interior have expressed the view that the 13th amendment to the Constitution and existing Federal legislation are sufficient to meet the objectives and requirements of the convention. In addition, laws already existing in the States and territories are regarded as satisfying the requirements of article 2 calling for prescription of minimum age and other marriage standards where appropriate.

Ambassador Goldberg in his testimony specifically cited the Slave Trade Prohibition Act (46 U.S.C. 1355) and the Peonage Laws (18 U.S.C. 1581, 42 U.S.C. 1994) as examples of existing Federal legislation covering the subject matter of the convention. So, while the convention is not self-executing, no implementing legislation will be required since our domestic laws, Federal and State, are already in harmony with the commitment contained in the treaty.

This convention was carefully studied by a subcommittee, chaired by the senior Senator from Connecticut [Mr. DODD], and by the full committee. All the witnesses heard by the subcommittee and the full committee recommended U.S. accession. Moreover, on October 11, the day the committee acted favorably, President Johnson in his International Human Rights Year proclamation lent his support to the human rights conventions, of which this is one.

Thus, the basic question—is this treaty in the national interest—has been answered affirmatively by two successive Presidents, the Secretary of State, our Ambassador at the United Nations, and many other distinguished citizens too numerous to mention.

I ask the Senate to say "yes" to this treaty and give its advice and consent to the accession by the United States to the Supplementary Slavery Convention.

Mr. President, I ask unanimous consent that an excerpt from the report on the Supplementary Slavery Convention be printed in the RECORD.

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

MAIN PURPOSE

The Supplementary Slavery Convention would require the abolition of the incidents of slavery such as debt bondage, serfdom, involuntary marriage, the sale of women, the transfer of widows as inherited property, the exploitation of children, the marking and branding of slaves, and the carrying on of the slave trade.

PROVISIONS

The purpose of this convention is to supplement the 1926 Slavery Convention to which the United States is a party, by dealing with conditions akin to slavery.

The convention is divided into 15 articles which are grouped under 6 sections.

In section I, the parties are required to abolish debt bondage; serfdom; institutions relating to the promising, transferring, or inheriting of women; and the exploitation of children (art. 1). By article 2, they are required to prescribe, where appropriate, suitable minimum ages of marriage and to encourage facilities for consent to marriage and registration of marriages.

Section II deals with the slave trade and makes unlawful the act of conveying or attempting to convey slaves from one country to another by whatever means of transport, ships or aircraft (art. 3). Slaves who take refuge on board of any vessel of a contracting party shall be automatically free (art. 4).

Section III, article 5 makes it a criminal offense under the laws of the contracting parties to mutilate, brand, or mark a slave or person of servile status in countries where the abolition or abandonment of slavery or the practices covered by this convention is not yet complete. Article 6 similarly deals with the act of enslaving or inducing another person to slavery or attempting these acts, or of being an accessory or a party to a conspiracy to accomplish any of these acts.

Section IV (art. 7) contains definitions.

Section V (art. 8) contains an undertaking to cooperate with other contracting parties and to communicate to the Secretary General of the United Nations copies of laws, regulations, and administrative measures enacted or put into effect to implement the convention.

Section VI (arts. 9–15) concerns final clauses—signature, accession, application to non-self-governing territories, entry into force, denunciation, etc. Of note here are article 9 which states that "no reservations may be made to this convention," and article 10 which provides for the reference of disputes to the International Court of Justice under a procedure to which the Connally reservation would not apply. This latter provision is further discussed in a subsequent section.

The 13th amendment to the Constitution of the United States provides in section 1:

"Neither slavery nor involuntary servitude, except as punishment for crime whereof the party shall have duly been convicted, shall exist within the United States, or any place subject to their jurisdiction."

The Secretary of State in his report to the President, states:

"The Department of Justice and the Department of the Interior have expressed the view that the 13th amendment to the Constitution and existing Federal legislation are sufficient to meet the objectives and requirements of the convention. In addition, laws already existing in the States and territories are regarded as satisfying the requirements of article 2 calling for prescription of minimum age and other marriage standards where appropriate" (Ex. L, 88th Cong., first sess., p. 4).

Among the laws referred to are the Slave Trade Prohibition Act (46 U.S.C. 1355) and the peonage laws (18 U.S.C. 1581; 42 U.S.C. 1994). It is the conclusion of the executive branch that no implementing or other legislation has to be enacted as a result of U.S. accession to the Supplementary Slavery Convention.

BACKGROUND

The Supplementary Slavery Convention was formulated at a United Nations Conference at which the United States was represented. It was signed at Geneva on September 7, 1956, but not on behalf of the United States.

On July 22, 1963, President Kennedy submitted this convention, together with the Convention on Political Rights of Women and the Convention Concerning the Abolition of Forced Labor, to the Senate for its advice and consent to accession.

In his overall message submitting these treaties, the President said:

"U.S. law is, of course, already in conformity with these conventions, and ratification would not require any change in our domestic legislation. However, the fact that our Constitution already assures us of these rights does not entitle us to stand aloof from documents which project our own heritage on an international scale * * *

"These conventions deal with human rights which may not yet be secure in other countries; they have provided models for the drafters of constitutions and laws in newly independent nations; and they have influenced the policies of governments preparing to accede to them."

On April 14, 1965, on behalf of the new administration, Secretary of State Dean Rusk, referring to the message of President Kennedy, wrote the Foreign Relations Committee:

"These considerations still stand; indeed, we believe it is more important than ever for the United States to reaffirm its international commitment to human rights. U.S. law is in conformity with the provisions of these three conventions, and their ratification would not require any change in our domestic legislation."

COMMITTEE ACTION

On January 18, 1967, the three conventions were referred to an ad hoc subcommittee consisting of Senator Dodd (chairman), and Senators Clark, Pell, Hickenlooper, and Cooper. Public hearings were held on February 23 and March 8, 1967. On February 23, the subcommittee heard Ambassador Arthur J. Goldberg, U.S. representative to the United Nations, assisted by Joseph J. Sisco, Assistant Secretary of State for International Organization Affairs; Richard D. Kearney, Deputy Legal Adviser, Department of State; and Mrs. Esther Peterson, Assistant Secretary for Labor Standards, Department of Labor. On March 8, after receiving testimony from Senator William Proxmire, the following non-Government witnesses were heard:

Benbow, Terence H., chairman, Committee on International Law, the New York State Bar Association.

Biemiller, Andrew J., director of legislation, AFL–CIO, Washington, D.C.

Bitker, Bruno V., attorney at law, Milwaukee, Wis.

Carter, Mrs. Eunice, National Council of Women of the United States, New York, N.Y.

Clayman, Jacob, administrative director, industrial union department, AFL–CIO, Washington, D.C.

Gardner, Richard N., the Ad Hoc Committee on Human Rights and Genocide Treaties.

Martin, Mrs. George, American Baptist Convention, Summit, N.J.

Nies, Miss Judith, Women's International League for Peace and Freedom.

Read, James, president, Wilmington College (Ohio), Friends Committee on National Legislation.

Rice, Andrew E., chairman, International Affairs Commission, American Veterans Committee.

Schick, Marvin, American Civil Liberties Union.

Taylor, Mrs. Betty Kaye, National Community Relations Advisory Council, accompanied by Maurice Weinstein, Richard Maass, Phil Baum, and Harrison Jay Goldin.

The record of the hearing was held open until the close of business on March 22 for submission of additional views. The entire proceedings have been printed for the information of the Senate and the public.

All the witnesses and all the statements submitted during the subcommittee hearings recommended approval of the conventions, including, of course, the Supplementary Slavery Convention.

The subcommittee further considered the conventions in executive session on April 6

and on June 5 ordered them favorably reported to the full committee.

The Committee on Foreign Relations discussed the conventions in executive session on June 8 and 22, and August 22 and decided on a further hearing to take testimony from representatives of the American Bar Association which had in the meantime asked to be heard. This hearing took place on September 13 and is also printed for the information of the Senate and the public. On behalf of the American Bar Association Messrs. Eberhard P. Deutsch and Max Chopnick presented and testified on a resolution adopted by the association which recommended (1) approval of the Supplementary Slavery Convention; (2) no action on the Forced Labor Convention; and (3) rejection of the Political Rights of Women Convention.

On October 11, the committee after further executive discussion unanimously ordered the Supplementary Slavery Convention reported favorably to the Senate for the reasons summarized below.

COMMITTEE COMMENTS AND RECOMMENDATION

Slavery—A matter of international concern

The committee believes that the Supplementary Slavery Convention deals with an international—and not domestic—concern. This subject has been previously treated in international covenants by the United States beginning with Treaty of Ghent with Great Britain which required the parties to abolish the slave trade and most recently in the 1926 Convention for the Abolition of the Slave Trade, which was ratified by the United States in 1929, and which the present treaty supplements.

Besides being a followup convention to one to which the United States is a party, the international character of the obligations undertaken is illustrated by article 3 which deals with the slave trade and article 4 which provides for the automatic freedom of slaves taking refuge aboard convention state vessels.

Reference of disputes to the International Court of Justice

The jurisdiction of the International Court of Justice is set forth in article 36 of its statute and comprises two categories of cases.

The first category is contained in paragraph (1) of the Court statute which reads as follows:

"1. The jurisdiction of the Court comprises all cases which the parties refer to it and all matters specially provided for in the Charter of the United Nations or in treaties and conventions in force."

The Slavery Convention contains a provision for the reference of disputes to the International Court in accordance with paragraph (1) above.

The second category of cases which might come before the Court comes under paragraph (2) of article 36, which is the compulsory jurisdiction clause which the United States accepted in 1946 subject to the Connally reservation which excepted from that jurisdiction "disputes with regard to matters which are essentially within the domestic jurisdiction of the United States *as determined by the United States.*" (Connally amendment italicized.)

Inasmuch as the Connally amendment applies to cases referred to the court under article 36(2), it does not apply to cases referred under article 36(1) which would include cases arising out of this convention.

The Senate has approved numerous other treaties with similar provisions over the years. In addition to the treaties listed on pages 51 to 54 of the hearings, the Single Convention on Narcotics was approved as recently as May 8, 1967.

In its report on several of these treaties, the committee noted the inapplicability of the Connally amendment, pointing out at the same time that this inapplicability applied only to a narrow group of possible cases, which will be true again with respect to the Supplementary Slavery Convention.

Meaning and status of the preamble to the convention

As is the case frequently with preambles, the preamble to this convention raised questions, first expressed by Senator Ervin in his correspondence with Mrs. Gladys Tillet, the U.S. representative to the United Nations Commission on the Status of Women. This correspondence is reproduced in the hearings on pages 43 and 44. These questions center on the references in these preambles to various instruments to which the United States is not a party or which the United States does not consider to have the effect of a treaty obligation—specifically the Universal Declaration of Human Rights.

With respect to this latter document, Ambassador Goldberg testified:

"The declaration of human rights is not a treaty. It was a declaration. It is not a treaty obligation of any country."

He added: "It is at best a moral obligation as distinguished from a legal obligation."

With respect to the status of the preambular paragraphs generally, Ambassador Goldberg said:

"I would state first of all that they are not operative paragraphs. They do not relate * * * to our obligations as a treaty power. They are preambular; they reference; they do not incorporate into the substantive part of the conventions we are considering * * *"

Implementing legislation

While the Slavery Convention is not self-executing, no implementing legislation will be needed, since the 13th amendment to the Constitution and various Federal statutes meet U.S. obligations under the Supplementary Slavery Convention.

Seventy nations are a party to the Supplementary Slavery Convention which entered into force in 1957. The Committee on Foreign Relations recommends that the Senate give its advice and consent to accession by the United States to the Supplementary Slavery Convention.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

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

LEGISLATIVE PROGRAM

Mr. KUCHEL. Mr. President, while the Senators are still in the Chamber, I would like to inquire of the distinguished majority leader what his plans are for the balance of the day and for tomorrow and for the rest of the week, if it is possible to tell us.

ORDER FOR THE RECOGNITION OF SENATOR PROXMIRE TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the morning business on tomorrow, the distinguished senior Senator from Wisconsin [Mr. PROXMIRE] be recognized for 15 minutes on the treaty.

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

ORDER FOR VOTE ON SLAVERY CONVENTION

Mr. MANSFIELD. Mr. President, at the conclusion of the remarks of the Senator from Wisconsin on tomorrow, I ask unanimous consent that a vote be taken on the Slavery Convention, which is now the pending business.

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

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 noon tomorrow.

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

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, it is anticipated that following the vote on the treaty the Senate will consider S. 1321, the North Cascades National Park bill, and very likely there will be a rollcall vote on it.

The Senate will then consider S. 561, the Cape Hatteras National Seashore bill.

The Senate will then consider S. 699, the international government operating cooperation bill.

Following that, the Senate will consider bills to be reported from the Committee on Labor and Public Welfare. There will be S. 830, age discrimination, H.R. 3460, mental retardation and H.R. 6418, partnership for health.

The bills will not necessarily be considered in that order.

The Senate should be on notice that these measures will be considered, along with other matters.

Mr. KUCHEL. Mr. President, will there be any votes this afternoon?

Mr. MANSFIELD. No.

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 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. 8718) to increase the annual Federal payment to the District of Columbia and to provide a method for computing the annual borrowing authority for the general fund of the District of Columbia.

REDWOOD NATIONAL PARK

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, I would like to have the attention of the senior Senator from Louisiana [Mr. ELLENDER]. I owe the Senator from Louisiana an apology because of my inability to get to the floor of the Senate prior to the vote on his amendment, as I had committed myself to do.

I had been called to a conference at the request of a Presidential aide at the White House in respect to a problem that exists on education legislation. I thought I would be able to return in time, but I arrived on the floor only after the roll on the amendment had been called.

I did set forth my views last night in support of the Ellender-Anderson amendment.

Mr. BYRD of West Virginia. Mr. President, may we have order?

The PRESIDING OFFICER. There must be order for the Senate to proceed.

The Senator from Oregon will proceed.

Mr. MORSE. Mr. President, I covered in the main last night in my speech in support of the Ellender-Anderson amendment the points that I had planned to make in support of Senator ELLENDER in greater detail before the vote today. I am going to make the points now, for in my judgment time will prove that the Senate of the United States has made, I think, a most serious mistake this afternoon.

The Senate will rue the mistake. In my judgment, it has set a precedent. No matter how many semantics were used on the floor of the Senate this afternoon to the effect that no precedent is being established, the Senate has set a precedent that, in my judgment, greatly changes the whole management of forests in this country in respect to land exchanges.

It is a precedent, let me say, that the senior Senator from Oregon will fight as long as he is in the Senate because it will do devastating damage to the greatest lumber-producing State in this country, the State of Oregon, if it is allowed to be applied again.

I am sorry, but I think it explains one of the great disadvantages of unanimous-consent agreements on major legislation. It puts me back again to the position where I will view with great concern any proposal for any unanimous-consent agreement to limit any time on any major piece of legislation here on the floor of the Senate, because I am satisfied that if we had had additional time to talk to the Senators who, when they came through the door, were informed by Senate staff members both parties that "with respect to such-and-such an amendment, the vote is 'No,' " we would have had a majority vote before we got through.

I refuse to believe that Senators who would take the time to study the facts about the amendment would have adopted the precedent this afternoon that does such irreparable damage, in my judgment, to the management of forests in this country that belong to the people, not to the Senate of the United States and not to the politicians, but to the taxpayers.

It is too bad that these politicians did not have the time this afternoon to study the impact of what they have done in regard to the management of forests.

The matter involving the land that the Senate gave away this afternoon, in effect, for a de minimis of what it is worth, to a very small number of big lumber companies in the State of California will rise to plague those Senators who voted for the measure, may I say, as they come to grips in the future with the management of the forests of this country.

The taxpayers of this country were entitled to have this 14,567 acres of land left in sustained yield, not turned over to the gutting of a few profit seeking lumber companies that have no control placed over them now in regard to gutting these forests.

Gifford Pinchot must be revolving in his grave on the basis of what has taken place this afternoon in respect to the rejection of this amendment.

Much has been said in discussion of this issue about the northern redwood purchase unit not being regular national forest land.

This is not in accord with the law that governs the management of these lands or the facts about its administration.

The northern redwood purchase unit was acquired under the authority of the Weeks Act. The funds used to purchase it were appropriated under the Weeks Act. It is the Weeks Act that has been used to incorporate some 20 million acres into our great national forest system, all over the United States.

Listen to this: Section 1₁ of that act specifically provides that the lands acquired under it "shall be permanently reserved, held, and administered as national forest lands."

You gave it away this afternoon. You yielded to the pressure of a powerful lobby in this country. You failed in an obligation to the taxpayers this afternoon by the amendment that you rejected. Yes, it is strong language, and I mean to use it, because we are going to use it across this country as we fight for sound conservation of the forests in the years ahead.

You turned your back on the overwhelming majority of the conservation agencies of this country. Yes, the Sierra Club, basically a California organization, was for this giveaway. But the overwhelming majority of the conservation groups of this country warned you. They have forgotten more about conservation than the Senate combined knows, may I say most respectfully. But I do not claim that we in this body are infallible. The sad fact is that we walked out on conservation this afternoon—God's gift, great natural resources, to the people of this country. That is what we did. We tore down a citadel, an almighty citadel, a great natural resource, for profit dollars.

Those 14,567 acres of land could have been left in sustained yield, could have supplied lumber to the American people in perpetuity. And now you permit these lumber companies to go in and mow them down if they want to make a quick buck. That is what was done this afternoon in the rejection of the Anderson-Ellender amendment.

Just as all national forest lands, the northern redwood purchase unit has been under sustained-yield management since its acquisition. Timber sales have been made from it under the same procedures, the same regulations, and in all respects, under the same authority as sales from other national forest lands, and it has been protected and developed under the same authorities that apply to other national forest lands. Redwood research by the Forest Service has been conducted on this unit in the same manner and by the same organization that conducts forestry research on national forest lands throughout the country.

Let me point out again—because it is critically important—that over the years the timber on the purchase unit has been used by a fairly large number of timber operators from northern California. Small operators, it is true. But that is another issue involved here. We also, in my judgment, played into the hands of the big lumber operators and robbed the little fellows. And the little lumber mills would cooperate with the taxpayers of this country in a sustained-yield program.

If we transfer the unit under subsection 3(b) of S. 2515, we will be trading this timber, previously available to all operators of the region, to a privileged few companies—without any competitive bidding whatsoever. We will favor four large, strong companies with substantial timber holdings over many smaller operators who rely principally on the availability of timber from Federal timberlands.

And we will be depriving Del Norte County of receipts that have averaged $150,000 to $200,000 per year in recent years. This revenue, returned to the county by law, is much more than these lands will bring to the local government through taxes. It was for this reason that the national forest purchase unit has not been added to the Six Rivers National Forest. If it had been, the 25-percent share of receipts from the land would have been distributed to several counties and the amount allocated to Del Norte would have been decreased.

Mr. President, let me stress that the use of the northern redwood purchase unit as trading stock will bring no new jobs to Del Norte County. What it will bring is a disruption in the operations of the many small operators of the area who look to the purchase unit for a continuous and even flow of timber. The net result—sustained-yield allowable cut from the national forest down 20 million board feet per year. That will be the result of the unfortunate action by the Senate this afternoon.

In all respects the northern redwood purchase unit is national forest. Use of the unit as trading stock will jeopardize the sustained-yield principle which governs our national forests throughout the land.

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

Mr. MORSE. I ask unanimous consent that I may proceed for 10 additional minutes.

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

Mr. MORSE. Mr. President, the Forest Service administers some 14,500 acres of national forest lands in the coast redwood forest region near the Klamath River in Del Norte County. These lands were purchased by the United States more than 25 years ago, with the approval of the local government and the State of California, for the practice and demonstration in the redwood type of sustained yield forestry, good logging practices, and other uses characteristic of the national forests, and to help stabilize the local economy. These lands are adjacent to the Six Rivers National Forest, and for timber management purpose are part of the Del Norte working circle. Redwood constitutes 75 percent or more of the timber on approximately 6,000 acres; on an additional 1,800 acres

redwood is 50 percent or more of the timber volume. Timber on the remaining acreage is a mixture of redwood and Douglas-fir or of Douglas-fir and associated nonredwood species. Approximately 2,800 acres are being reforested after logging to redwood and Douglas-fir.

Since 1940 approximately 1,000 acres of these lands, together with an approximately equal acreage of adjoining private redwood forest, have been used for research and investigations of the silviculture, reforestation requirements, and desirable harvesting practices and techniques of redwood timberlands. In the mid-1950's the Forest Service started a program of offering commercial sales of timber to meet the needs of dependent industries. Timber is sold under competitive bidding procedures. In this way, any mill in need of timber has an opportunity to bid on the stumpage advertised for sale. This national forest land offers on an open market basis a stable supply of timber to mills that do not own sufficient timber to meet their needs for logs.

That is the plight of the small mill operator in California, in Oregon, and in Washington. We have a responsibility to those small operators, because the little mills in small communities are the economic life of the community. We have no justification for following the giveaway course of action that we followed on the floor of the Senate this afternoon.

There are a number of such industries in the tributary area. Sustained yield allowable cut of timber from the 14,500 acres is about 20 million board feet per year.

Since commercial sales began, over 216 million board-feet of stumpage has been sold from these lands. Thirty-seven timber using businesses in Del Norte and Humboldt Counties have bid on these sales. Ten such companies have bought sale offerings of 1 million board-feet or over; other companies have bought lesser amounts. Receipts from the sale of this timber have amounted to approximately $5,650,000. Twenty-five percent of these receipts has been paid to Del Norte County for support of roads and schools. This contribution to the county from the northern redwood purchase unit has amounted to approximately $1,415,000, an average of over $128,000—nearly $9 per acre—per year.

In harvesting timber from the redwood purchase unit, the Forest Service tries to develop and demonstrate logging practices that protect streams from undue damage, conserve watersheds, promote prompt and adequate restocking with desirable timber species, and keep adverse effects on the scenic values of the landscape to a minimum. Roads, skidways, and cutting blocks are so located as to avoid damage to streams and streamside vegetation, reduce the probability of soil erosion, and, through limitations of size and dispersion in the location of cutting areas, avoid excessive scarring of the landscape.

Desirable techniques and practices developed on these national forest lands can be applied to the other commercial timberlands in the coastal redwood belt. There are about 1.6 million acres of commercial timberland in the redwood forest type. Most of this will continue to be used for timber production. Careful timber harvesting practices, adequate attention to protection of scenic and recreation values, and availability of lands for public recreation, including hunting, will help meet the concern of the public that commercial timber utilization in the scenic redwood forests of California not impair their natural beauty or their streams, watersheds, and wildlife. Development and practice on the ground of acceptable logging practices and feasible programs of multiple-use forestry were important reasons for the purchase of these national forest redwood lands.

Continued national forest management of the northern redwood purchase unit lands will assure sustained yields of merchantable timber amounting to approximately 20 million board feet annually.

That would have been the case if the Senate had not given away the public interest this afternoon. We would accomplish the facts the Senator from Oregon is bringing out in this speech.

This would be available to wood-using industries in the surrounding area through competitive bidding. National forest management will insure annual payments to Del Norte County of 25 percent of the receipts from timber sales and land uses; public use of the land for recreation, hunting and fishing; continued attention to conservation of watershed, scenic and esthetic values; and further development and demonstration of management practices that will help harmonize commercial uses of redwood timber with public concern for protection of the natural beauty and the recreation, watershed, fish and wildlife values of the redwood region.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a table setting forth purchasers of national forest timber offered for sale from redwood purchase area lands from 1956 to 1966.

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

Purchasers of national forest timber offered for sale from redwood purchase area lands—1956 to 1966

[Total volume, million board feet]

Purchaser:	
Simpson Redwood Co	48.330
Cal-Pacific Manufacturing Co	30.800
Medford Veneer & Plywood Corp	21.500
Simpson Timber Co	14.600
Independent Building Materials Co	14.500
Northern California Plywood, Inc	14.500
Van DeNor Lumber Co., Inc	14.300
Twin Parks Lumber Co	4.900
Brunello Mill	3.715
South Coast Lumber Co	3.550
Bedford Materials, Inc	1.061
Peterson Brothers	.515
Trio Lumber Co., Inc	.400
Valdon Miller	.345
Don McMillan	.260
Simpson Logging Co	.246
Gus Peterson	.150
J. M. Hale Logging	.119

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD a listing of other bidders for national forest timber offered for sale from redwood purchase area lands from 1956 to 1966.

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

OTHER BIDDERS FOR NATIONAL FOREST TIMBER OFFERED FOR SALE FROM REDWOOD PURCHASE AREA LANDS—1956 TO 1966

South Bay Redwood Company.
Tidewater Mills, Inc.
Hulbert & Mailfley Company.
Standard Veneer & Lumber Company.
Twin Harbors Lumber Company.
Four Rivers Manufacturing Company.
Brightwood Lumber Company.
Jewett Lumber Sales.
Diamond Lumber Company.
Arrow Mill Company.
Big Flat Timber Company.
Wolf Creek Logging Company.
R. C. Miller Logging Company.
Cal-Oregon Veneer.
G. R. VanVleet.
Azel Erickson.
Pacific Veneers.
N & N Woodworking.
A. C. Dutton Lumber Company.
Brookings Plywood.
R. L. VanVleet.

Mr. MORSE. Mr. President, this is a long list of bidders that the Senate has cut out from a fair break this afternoon in carrying out what I thought was our system of competitive enterprise in this country. What the Senate has done has been to pick a few big operators and give them a bonanza this afternoon to which they are not entitled, and the Senate has discriminated, in my judgment, against the rights of small business in this area. Mr. President, you will hear from it, not only in that area, but from across the country.

I ask unanimous consent to have printed in the RECORD another table showing contributions to Del Norte County, Calif., representing 25 percent of receipts to the Treasury from the Northern Redwood National Forest purchase unit from 1956 through 1966.

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

CONTRIBUTIONS TO DEL NORTE COUNTY, CALIF., REPRESENTING 25 PERCENT OF RECEIPTS TO THE TREASURY FROM THE NORTHERN REDWOOD NATIONAL FOREST PURCHASE UNIT, 1956 THROUGH 1966

Year	Receipts	25 percent
1956	$942,148	$235,537
1957	208,970	52,243
1958	255,661	63,915
1959	338,586	84,646
1960	174,948	43,737
1961	294,717	73,679
1962	411,407	102,852
1963	387,303	96,826
1964	1,265,145	316,286
1965	823,722	205,930
1966	558,951	139,738

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD a letter dated July 13, 1967, from Secretary of the Interior Udall to the Senator from New Mexico [Mr. ANDERSON].

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

THE SECRETARY OF THE INTERIOR,
Washington, July 13, 1967.

HON. CLINTON P. ANDERSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ANDERSON: President Johnson asked me to reply to your letter about the Redwood National Park proposal in which

you urged that we not trade off National Forest lands in an effort to establish a Redwood National Park.

There have been extensive discussions between State officials and representatives of the Bureau of the Budget and the Departments of the Interior and Agriculture. The subject you raise has been thoroughly aired. The position of the Administration is firm against the transfer of National Forest lands to the State of California or to private lumber interests as part of the Redwood National Park transactions. We feel this general principle must be upheld always.

It has been the long-standing position of the Government, and I know you are in agreement with this, that the National Forests should be maintained intact and that when private timberlands are needed by the Federal Government in the public interest, payment should be in cash and not in kind. I agree with this principle and you need have no concern on this point insofar as the Administration is concerned.

In this connection, you may be interested in the letter of June 22, 1967 to Senator Jackson from the Deputy Director of the Bureau of the Budget which discusses this question in some detail and makes clear the Administration's position.

Sincerely,

STEWART L. UDALL,
Secretary of the Interior.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from the Senator from New Mexico [Mr. ANDERSON] to the President of the United States dated June 26, 1967.

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

U.S. SENATE,
COMMITTEE ON
AERONAUTICAL AND SPACE SCIENCES,
June 26, 1967.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: Partly due to the Dodd matter, the Senate has been upset on our schedules, and I am very much afraid we are going to be delayed considerably in passing all the appropriations bills and other needed legislation. One of my worries has been that in the final windup before the July 4 holiday we will miss careful action on the proposal for a Redwood National Park.

I have gone over the suggestions on some of these redwood proposals, and I appreciate the fact that you have had excellent advice. I know that Laurance Rockefeller has helped, and he is one of the most dedicated conservationists that I know. However, I am not sure that the Sierra Club members in and around the San Francisco Bay area have been agreeable to the trading suggestions which have been made.

My particular worry is that trading might create some precedents which would be hard to overturn and which I believe are undesirable. Apparently the State of California would be asked to turn over to the Federal Government for the redwood forest some 30,000 acres in two existing state parks. It seems to me that we ought to count the cost and see if the State of California has asked for too much in the final transaction.

I feel that the turning over of 30,000 acres of state land now in existing state parks must be balanced by pay from the Federal Government to the state. This arrangement would give the state an opportunity to drive a hard bargain. Governor Reagan is alert to this possibility and may have requests to exchange forest land which possibly should not be traded.

I know you are familiar with this whole situation and have asked many people to see what is involved. But my attention has been called to the fact that Governor Reagan submitted to Congressman Aspinall on May 3 a letter which sets forth the price demanded by the State of California. The Governor's letter, plus subsequent conversations, make it very clear he considers trading to California the 14,500 acres in the national forest Northern Redwood Purchase Unit as an essential part of the state price.

My fear is that the people who are trying to save the redwoods and want to create a fine national park might agree to trade off these national forest lands as part of the price of getting national park support from the state. I think that such a trade might tend to become a precedent for other forest lands to be used to pay for other national parks. People might want to swap forest lands for highways, for reservoirs, or to pay off Indian claims, and it might cause serious embarrassment if such requests should be made and the trades completed.

If we can say now that we would not trade forest lands for parks of any kind, then I think that we will be safer and the national interest would be protected.

I am not trying to say that this is a new position. A reservoir trade-off proposal was seriously advanced as H.R. 4646 in the 83rd Congress. It was defeated on the floor of the House. But we can find numerous instances where owners have been asked by letter to be repaid in kind for land needed for highway purposes.

I am not sure if this letter covers exactly what I am thinking. My main worry is that if national parks are to be created, they should be financed from private gifts and public money, but not by trade.

This letter has not been written to criticize anybody. I refer to Governor Reagan only because he is the Governor of California and has a responsibility to his citizens. His letter of May 3, 1967 to Congressman Wayne Aspinall says:

"We have developed eight general principles that we in California submit for your consideration with the hope that they will be incorporated into any final plan for a Redwood National Park."

Then Governor Reagan very properly lists his eight general principles; the second which is:

"Exchange in fee title of state park lands to be incorporated into a national park for currently-owned federal lands suitable for park and recreational purposes in our state system."

The third principle is:

"Exchange in fee title of privately-owned timberlands for like kind of property accomplished through negotiation rather than condemnation. Where cash transactions are necessary, the payment period for private property taken should ideally be funded in the minimum number of years required for maximum tax advantage."

I only suggest to you that the new principle of exchange can be harmful, I think, and I would watch it very carefully.

In 1949 I suggested what is now known as the Anderson-Mansfield Act by which I wanted to preserve the forests and protect them in any way I could. I want to continue that protection, but I feel that we could give too great a payment on an exchange basis. If we want to obtain the redwoods by trade we could make bad trades and hence be involved in a worse situation than in establishing these parks.

Let the park people come in with a proposal to acquire, not a proposal to trade. We may have to shrink the boundaries of the park because purchases could be too high. But we will be better off shrinking the boundaries than to start trading forest land from the Federal Government to the State of California. At least that is my feeling, and I hope your excellent advisors and helpers will count carefully the entire cost of the program. It is my desire that trading federal forest lands to states will not be supported.

Sincerely yours,

CLINTON P. ANDERSON.

Mr. MORSE. Mr. President, with respect to the question about this administration being forewarned, the administration was put on notice as to what would happen if the Anderson-Ellender amendment was not agreed to. There is no question about where the Secretary of Agriculture has stood, as I shall show from a letter I shall have printed in the RECORD in a moment. He has stood foursquare in opposition to this giveaway and foursquare in opposition to the exchange of land of little value in comparison to Federal timberland worth huge sums of money which will be a bonanza to the companies that are selected, as special favors, to receive the land.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter from Secretary of Agriculture Orville Freeman to the Senator from Vermont [Mr. AIKEN] dated October 20, 1967, which has become a public letter.

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

OCTOBER 20, 1967.

Hon. GEORGE D. AIKEN,
U.S. Senate.

DEAR SENATOR AIKEN: You will shortly be considering S. 2515, a new bill to establish a Redwood National Park. The Department of Agriculture actively supports the establishment of such a Park.

However, this Department vigorously and strongly objects to the feature of S. 2515 which would use National Forest land as trading stock to obtain land for the Park. This commandeering of the National Forest land in the Redwood Purchase Unit is not necessary in order for the Nation to have a Redwood Park.

Using National Forest land for trading stock in this important case endangers land administered by the Forest Service all over the country. It threatens the integrity of the National Forests, a principle of long-standing.

It would open the floodgates. Right now, and repeatedly in the past, there have been made demands in other parts of the country that National Forest lands be used to pay for parks, or for reservoirs, or for highway rights-of-way. Any and every instance of such a taking of National Forest land makes the later pressures that much harder to resist.

This is why past actions of Congress have resoundingly rejected use of National Forest land for this kind of trade-off.

There are other reasons for not appropriating these National Forest lands to pay for the Park:

1. Savings derived from trading off the National Forest land would be a small part of the total cost of the proposed Park. On an acre-for-acre basis, the value of the National Forest land in the Purchase Unit, estimated at $25 million, falls far short of the value of the old-growth groves proposed for inclusion in the Park. This is a very small sum to endanger a very basic principle of conservation.

2. The four main companies involved do not need the limited acreage of land that could be made available to them in order to continue operating for a significant number of years. The company that would experience the greatest impact could continue at its present rate of operation for 15 years or longer.

3. A move to make these companies partially whole would be at the cost of with-

drawing supplies now used by smaller operators who buy the stumpage that would be transferred to the four larger, stronger companies. In recent years, 10 operators in the area have used the timber that this action would turn over to only four large companies. Thus, a trade-off of land would not create any new jobs. It would favor four large companies at the expense of 10 smaller ones.

A Redwood National Park is in the national interest. The USDA supports strongly that objective. But a raid on the National Forests and the establishment of a dangerous precedent in violation of long-standing, sound conservation principles is neither necessary nor wise.

Sincerely yours,

ORVILLE L. FREEMAN,
Secretary.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD a letter dated October 23, 1967, from J. W. Penfold, conservation director IWLA, to the Senator from Washington [Mr. JACKSON].

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

OCTOBER 23, 1967.

Subject: Redwoods National Park.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The Board of Directors of the Izaak Walton League, which represents the Nation-wide membership, held its regular fall meeting over the past weekend. The Board discussed the Redwoods National Park proposal and your Committee bill S. 2515, one of the key conservation issues of the 90th Congress. Copies of the bill and the Committee Report had previously been distributed.

The Board was highly commendatory of the Committee for working its way through all the complexities of the issue and reaching agreements on a workable plan for a worthwhile National Park.

The Board unanimously agreed on the following points:

1. To support the Committee's recommended two-unit Park;

2. To support full funding for acquisition of lands for the Park;

3. To oppose use of the Northern Redwoods Purchase Unit as trading stick for lands to be acquired.

The League over the years has supported and now supports land exchanges when that serves to block up holdings, to achieve more effective and efficient administration and management or to eliminate undesirable inholdings. The League as consistently has opposed proposals to use national forest lands as payment in kind when Federal acquisition is necessary for other projects of broad and public interest. The League does not believe that the choice lies between a national park on one hand and national forest lands on the other—both are needed. Rather, the League believes that the Country can afford to acquire directly the lands necessary to establish the National Park approved by your Committee.

The League's opposition to one provision of S. 2515 in no way detracts from our evaluation of the Committee's accomplishment in reporting out this important measure.

Sincerely yours,

J. W. PENFOLD,
Conservation Director, IWLA.

Mr. MORSE. Mr. President, there is no question that Secretary Freeman and the Bureau of the Budget have strongly endorsed the Anderson-Ellender amendment against this exchange, holding many of the views that the Senator from Oregon expressed yesterday afternoon and again this afternoon.

This is a vital issue in my State and, as the senior Senator from Oregon, I do not intend to sit here and not protest this great mistake that was made this afternoon in the Senate because it can affect my State. I shall do everything I can to prevent any adoption of that precedent for any exchange of timberland in my State.

In the past there have been some attempts to raid the forests in Oregon by giving them away under the guise of exchanges to selfish lumber interests that would like to mow them down, cut, and get out. May I say to the everlasting credit of the majority of the lumber companies of my State that they have long since joined with those of us who support the sustained yield program, but we have a few "get-rich-quick boys."

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

Mr. MORSE. Mr. President, I ask unanimous consent that I may proceed for 5 additional minutes.

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

Mr. MORSE. Mr. President, we have a few "get-rich-quick boys" who would like to take advantage of every opportunity to get in, cut out, and then get out.

Mr. President, that is what the Senate did this afternoon. The Senate made that opportunity available to a few selected companies in California. Oh, I know the argument. You had to pay for the land out of the Treasury of the United States. That is exactly what the taxpayers, if they were sitting in a jury box, would have told you to do because that would have brought back to the taxpayers something much greater than the values the Senate gave away this afternoon.

What we are building here was a great citadel to the Lord in the property of the park. I voted for the park in spite of the wrong that was done this afternoon. The park is important, but, Mr. President, you did not need to give away the public interest in this 14,567 acres for a pittance in order to get this park because the taxpayers, once they understood the mathematics of it, would have been willing to pay for that park, for that is a park that will return many times its cost to future generations of American boys and girls as they visit it and come out of that forest better men and women than they were when they went in.

I say that, Mr. President, because when you go into one of these great natural citadels you come close to the Creator. I know of no more inspiring church than a redwood forest or a great Douglas-fir park. That happens to be a part of the esthetic and spiritual values that were before us. I do not like to see us start a precedent where you are going to encourage selfish lobbying interests to get for far less than the value that was given them this afternoon when the Senate defeated the Anderson-Ellender amendment.

I am sorry that I find it necessary to speak as strongly as I have spoken this afternoon, but not nearly as strongly as the facts warrant. I speak, however, because you can go back to the pages of the CONGRESSIONAL RECORD and you will find in decades gone by that other liberals have stood on the floor of the Senate and fought against exactly the same type principle I am fighting against here this afternoon. This conservation fight is a fight that has been going on in this country, this Congress, and the Senate for many decades. We lost a round today but I am satisfied that once the taxpayers, particularly in the West, come to understand what was lost, then we will be in a strong position the next time to win a victory that we should have won this afternoon in the public interest.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

PUBLISHING THE HARD TRUTH

Mr. HART. Mr. President, there are many thoughtful organizations publishing magazines which, year in and year out, speak the hard truth. Our country is the better for all such organizations and publications. Not often, however, do we take the time publicly to thank those who undertake such ventures.

Mr. President, I ask unanimous consent that at the conclusion of my remarks there be printed in the RECORD, for all to read, an article from just such a magazine, written by a very distinguished American, Dore Schary, published in the Antidefamation League Bulletin for October of this year, entitled "Time for Truth."

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

(See exhibit 1.)

Mr. HART. Mr. President, the Antidefamation League, for about 55 years now, has carried on, in good days and bad, a constant search for means to permit the men and women on this troubled earth to live together in peace and harmony and mutual respect.

Organized initially to end discrimination against Jews in this country, it then, and since, has aimed at the broader objective of securing justice and fair treatment for all citizens. It has contributed enormously toward the betterment of conditions not alone for Jews but for all of us.

The article which I urge my colleagues in the Senate and the people of this country to read, makes very important suggestions to those of us who are concerned—and, I submit, that is every American—with the proper reaction to the violence in the cities this summer. How do we hear the voices of the extreme black power and hateful white power, and keep in balance?

Dore Schary makes some very helpful suggestions, and I think we would

all be the better if we read the article and gave it thought and, to the extent our abilities permit, application:

EXHIBIT 1

TIME FOR TRUTH

(By Dore Schary)

Returning from Detroit after a hard and depressing look at the debris of the riots there in July, and in examining the tragic results of the National Conference on New Politics in Chicago, I had two apprehensive convictions: one that the Negro extremist could be destroying the civil rights front, and two, that the white backlash is accelerating dangerously.

The extremist Negro bloc at the Chicago Conference made thirteen demands. The white radical and liberal delegates granted all thirteen—without changing a comma.

Lyndon Johnson was equated with the late George Rockwell. The "imperialist Zionist war" was condemned. "Total and unquestionable support" was given for "all national liberation wars." The concept of separatism was adopted as a goal.

The four-day meeting, held August 31 through September 4, was the grotesque culmination to a summer of rioting, name-calling, demagoguery, and futility. The four-day meeting, originally called to seek political action for achieving peace and civil rights, ended by providing proof positive that no one race holds a monopoly on spawning bigots and fools.

Black opportunists said "Crawl, Whitey" and these Whiteys, filled with guilt and self-hatred, crawled—murmuring "We're with you, black brothers."

But the black demagogues they chose to be with are racist revolutionaries who hold nothing but contempt for the whole civil rights movement. They offer the same solutions as the Ku Klux Klan—violence and separatism.

As did thousands of other Americans this summer, I watched cities burn, merchants wiped out, shooting and killing in the streets. I heard myself—and people like me who had worked for most of their adult lives toward achieving civil rights—called "Whitey", the enemy. I heard the "I told you so's"—variations of one theme: "They're savages. See what happens when you try to help them?"

In utter dismay I read SNCC's August newsletter with its attack on Israel and Jews. The group which had the cooperation of thousands of Jewish students in voter registration drives, the group whose name—Student Non-Violent Coordinating Committee—once fitted its wide-spread and often fruitful activities, had parroted the vicious anti-Zionist and anti-Jewish diatribes of Arab and Soviet propagandists, and of the racist and blatantly anti-Semitic National States Rights Party.

Shortly after the publication appeared, newsmen crowded the board room of the Anti-Defamation League's national headquarters in New York—television crews from the three major networks, radio newscasters, newspaper reporters, magazine researchers.

They came for two reasons: to compare the SNCC publication's statements with those in the National States Rights Party's organ, *The Thunderbolt*, and with Arab hate materials (all in ADL's research files), and to ask how a Jewish organization, long in the forefront of the civil rights struggle, viewed the development.

SNCC's attack, we said, was a tragedy, but then SNCC itself had become a tragedy, as divorced from reality as it is from the overwhelming majority of those it claims to represent. SNCC had engaged in anti-Semitism, allying itself with the Arab nations because, it said, it believes in black solidarity. But, we pointed out, traffic in African slaves was big business in the Arab world long before Europeans and then Americans entered the trade. And even today, in some Arab lands, there is still slavery—Negro slavery.

"Is anti-Semitism widespread among Negroes?" the reporters asked.

We quoted the findings of the University of California Survey Research Center: "Negroes are less anti-Semitic than whites. To the degree that they distinguish between Jewish and non-Jewish whites, *they prefer Jews.*"

The scientific study of Negro attitudes was conducted by University sociologists under an ADL grant as part of a five-year research program on patterns of American prejudice. The third work in a series of seven, it will be published this fall by Harper & Row under the title *Protest and Prejudice: A Study of Belief in the Black Community.*

The study sharply refutes widespread beliefs about Negro attitudes toward Jews. The national sampling found that Negroes' feeling toward Jews and other whites tended to be in favor of Jews. For example: more Negroes than not said Jewish landlords are better than other white landlords, only 7 percent said they are worse; more Negroes than not said Jewish store owners are better than other white store owners, only 7 percent said they are worse. Thirty-four percent said Jews are better to work for, 19 percent said they are worse, and 70 percent said Jews are better than other whites when it comes to hiring Negroes.

In addition to these findings, on-the-scene observances of ADL regional directors in riot areas across the country refuted the belief held in some quarters that the stores of Jewish merchants were singled out for destruction.

"It just isn't so," read one typical report. "Every store in the area got it, from the A&P to the local beanery."

The demagogues held the center of the stage this summer—the black extremists shouting "Get yourself a gun, baby," and the white extremists, full of self-righteousness and moral superiority, urging armed retaliation. Both represented a minority, but both had an audience and both made an impact.

A minority of Negroes burned down Negro homes and Negro neighborhoods while the majority stood silently by serving as protective hosts for incendiarists and snipers.

Whites pointed fingers and searched for scapegoats and mouthed easy answers while their majority stood silently by shaking their heads in fear, despair and hopelessness.

Perhaps Communists, Rap Brown and young hoodlums contributed to this summer of unrest. But you can't blame Communist agitators, Rap Brown, or young toughs for slavery, slums, ghetto schools, closed unions, closed neighborhoods, broken families, poverty, unemployment, and second class citizenship for an entire people.

It is time for truth. If this summer of disasters embarrassed white liberals, it also embarrassed about 90 percent of the Negro population. If this summer of disasters lent weight to the racists and the doubters, it also lent weight to the dedicated and sincere who know that the nation cannot survive with abject poverty in the midst of overwhelming affluence.

The hope of this nation and its people—all of its people—does not lie in temporary and piecemeal approaches to one of the most serious social dilemmas we have ever faced. It does not lie in separatism—the antithesis of everything America stands for. It does not lie in misguided "liberals" patronizing Negro extremists.

Nor does it lie in rioting as a constructive form of civil rights protests. The message for Negroes is that those who preach riot or passively accept riot are betraying them. Violence drives away industry. It drives away investors who would build housing. It strengthens resistance to integration—in the communities of America and therefore in Congress too, which is notoriously reluctant to face head-on the basic facts of Negro inequity.

We have passed great laws. We have made much progress in the past decade. But we have so much further to go. The great laws must be enforced and implemented and swifter progress must be made. The Negro is still in need of justice and hope in the United States—not in a so-called "model city" here and there (the majority of whose inhabitants try to reconcile the gap between what they read is being done and what they know is everyday reality), but in a pattern for living with equal opportunity and human dignity everywhere in this land. If we do not move toward that kind of society, the militants with their chaotic solutions can indeed take over to polarize the nation into civil war.

"It isn't a question of moderate v. militant," Whitney Young said, "but of responsibility v. irresponsibility, sanity v. insanity, effectiveness v. ineffectiveness."

In 1966, addressing ADL national commissioners, the director of the Urban League spelled out his "domestic Marshall Plan"—which he had first urged four years earlier. And, pulling no punches, Mr. Young suggested that ADL, and all religiously oriented organizations, do some self-examining. Praising the work of the League, he said he hoped that the greatest year of ADL's contributions to democracy "would always be the next one." I agree with that.

In 1967, at this year's ADL national commission meeting, I spoke for one hour on the goals of A. Philip Randolph's "Freedom Budget" and urged its adoption. The national commission agreed with me.

What is the role of this fifty-four year old agency founded to end the discrimination of Jews and, as stated in its charter, "to secure justice and fair treatment for all citizens alike."

I believe that as individuals we ought to do some self-examining. What examples are we giving our children? Are there things we can do and are not going—self-education, perhaps, or community involvement, or providing job opportunities and apprentice training?

I believe that as an agency we must continue and expand our educational and action programs to help resolve constructively the great human relations challenges before us. The work to be done is our kind of work. Over the years we championed equal opportunity laws in countless cities and states. Now we must help in seeing that they are enforced, that minority group job applicants are not turned away out of habit, or worse, are not the victims of subterfuge and ingenious methods of locking them out or limiting them to the ground floor.

There is much to be done—to break the prison of slums where Negroes are locked in more and more and more, like sticks of dynamite tied together and ready to explode; to educate for democracy in schools where Negro children are written off as hopeless before they even begin, where textbooks color history while ignoring the contributions of the colored.

Is it impossible? Is the job too gigantic to tackle? Not if we lend support to the thesis that a nation which organized itself to win World War II, which aided and aids the economic development of nearly half the world, which builds superhighways and superdwellings for its affluent, which has explored space and is getting ready to explore the moon, can with the same kind of exertion overcome the shame of its dual society.

With a national effort of real moral purpose, with commitment of resources equal to the magnitude of the task—a commitment that takes in government *and* the private sector—we can begin to cure the ills of our society. The urgency is to get on with the job, not in fits and spurts or with promises and rhetoric, but with full time and with full commitment.

The question is not how many Negroes hate whites. After all, we can only estimate how many whites hate Negroes. The question is not how do we salvage Negro extremists. We continue to do battle against white bigots and extremists. Not is it how hurt and outraged we may feel at being labeled "Whitey." The word "nigger"—spoken and thought—is still part of the vocabulary.

The truth is that we may never salvage Negro extremists. But we can see to it that they remain outside the mainstream of American life. And in the language of the ghetto we can "get the message" and begin to salvage America itself.

We can get back on the road it took so long to build. We can make of it a new kind of superhighway. And we can move ahead, in spite of—or maybe because of—our desperate summer of running backwards.

AUTHORIZATION FOR DISPOSAL OF GOVERNMENT-OWNED LONG-LINES COMMUNICATION FACILITIES IN ALASKA

Mr. STENNIS. Mr. President, I ask that the Chair lay before the Senate a message from the House on S. 223. I have not given the desk prior notice of this, Mr. President.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 223) to authorize the disposal of the Government-owned long-lines communication facilities in the State of Alaska, and for other purposes which were, on page 5, line 15, strike out all after "disqualified" down through and including "amended" in line 18, and insert "by subsection 310(a) of the Communications Act of 1934, as amended, from holding a radio station license".

On page 6, line 10, strike out all after "(3)" down through and including "requisite" in line 11, and insert "the transfer will not be final unless and until the transferee shall receive any requisite licenses and".

On page 6, line 18, strike out "may be necessary under section 202(4)" and insert "is necessary under section 203 (3) above".

On page 7, line 5, strike out "Except as provided in section 204, this" and insert "This".

Mr. STENNIS. Mr. President, the House amendments to this bill are technical ones that were recommended by the Federal Communications Commission. The Committee on Armed Services recommends Senate concurrence in these amendments, and therefore I move that the Senate agree to the House amendments.

In further explanation, this was a unanimous report of the conference group. It is a bill upon which the Preparedness Subcommittee held hearings. There was a unanimous report on the bill itself, and I think it passed the Senate by unanimous vote. I note that the two Senators from Alaska are in favor of it.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Mississippi that the Senate concur in the amendments of the House.

The motion was agreed to.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. 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.

CITY OF BUFFALO SHOULD HAVE OPPORTUNITY TO BE HEARD BY AMERICAN LEAGUE OFFICIALS ON NEW BASEBALL FRANCHISES

Mr. JAVITS. Mr. President, it has come to the attention of my colleague, Senator KENNEDY, and myself that the city of Buffalo, N.Y., one of the most enthusiastic sports-loving cities in the country, did not have a chance to be heard by the officials of the American League before new baseball franchises were awarded.

The people of Buffalo are well known as hearty and loyal sports fans, and have given enthusiastic support not only to the American Football League's Buffalo Bills, but to almost every imaginable local sporting activity from hockey and basketball to curling and pingpong.

Senator KENNEDY and myself have joined with western New York area Members in the House in calling upon the American League to withhold final approval of these expanded franchises until all interested parties, including Buffalo, are given a full opportunity to present their cases at open hearings.

Senator KENNEDY and I feel that Buffalo does indeed have a good case to make, not only because of its history of support for sports activities but because the community is planning to build a new stadium to be ready for the 1970 baseball season.

Mr. President, on behalf of my colleague from New York [Mr. KENNEDY] and myself, I ask unanimous consent to insert in the RECORD a copy of the statement we have made, together with the following Members of the other body: Mr. RICHARD D. MCCARTHY, Mr. BARBER B. CONABLE, Mr. THADDEUS J. DULSKI, Mr. CHARLES E. GOODELL, and Mr. HENRY P. SMITH III.

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

Congress has so far permitted the baseball industry to run its own affairs but this privilege carries with it the corresponding duty to act fairly and responsibly in the public interest. Reported action of the American League in awarding expansion franchises without giving Buffalo, Milwaukee and other interested cities an opportunity to be heard appears to be inconsistent with these responsibilities.

I call upon the American League to withhold final approval of these franchises until this is corrected and ask that both major leagues give assurances that all interested parties will be given adequate notice and a full opportunity to present their cases at a fair hearing before any expansion franchises are awarded.

Buffalo's plans to build a new stadium to be ready for the 1970 season are well along with the cost and site study to be completed by the first of December and with both parties behind the effort. I would certainly assume that the Niagara Frontier, with its population rank, its importance as a major television market and its great record of support of the AFL Bills and other sports, would receive primary consideration in any expansion move by either league.

HONEST ELECTIONS ACT OF 1967—REPORT OF A COMMITTEE—MINORITY AND INDIVIDUAL VIEWS (S. REPT. NO. 714)

Mr. LONG of Louisiana. Mr. President, from the Committee on Finance, I report favorably, with amendments, the bill H.R. 4890, to establish a working capital fund for the Department of the Treasury, and I submit a report thereon. I ask unanimous consent that the report be printed together with minority and dissenting views.

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

Mr. LONG of Louisiana. H.R. 4890 as passed by the House sets up a revolving fund in the Treasury so it can better provide certain administrative services to its constituent bureaus. To that bill, the Senate Finance Committee has added the Honest Elections Act of 1967. The committee's amendments are submitted in compliance with the instructions of the Senate of April 25, 1967, which directed the committee to report back to the Senate provisions with respect to the presidential campaign fund law of 1966.

After receiving its instructions from the Senate, and after more than 5 weeks of debate in the Senate on the subject of campaign financing, the committee conducted 6 days of hearings in which it heard from everyone who evidenced a desire to speak to the issue. Following the open hearings, the committee met in executive sessions to formulate a package of proposals to report to the Senate. That package comprises the four titles of the Honest Elections Act of 1967 reported today.

Title I provides an income tax credit for one-half of up to $50 of political contributions an individual makes to candidates for public office or to political committees.

Title II provides a choice between public and private financing of presidential and vice-presidential and senatorial election campaigns. If candidates for these offices choose to receive Federal payments for their campaign expenses, they will generally not be able to accept private contributions for such expenses.

Title III is the exact text of the Election Reform Act of 1967, S. 1880, which the Senate passed unanimously September 12, 1967, to amend the law relating to the reporting of campaign expenditures and contributions.

Title IV provides criminal penalties for the undesirable campaign practices of soliciting votes near polling places in Federal elections and paying persons to provide transportation for voters in Federal elections.

I recognize that this bill is being reported rather late in this first session of the 90th Congress, when the mood of Congress is to pass only essential measures and to adjourn. The Honest Elec-

tions Act is of such a comprehensive nature as to require thorough study and debate by the Senate before being acted upon. Therefore, it may not be possible to schedule it for consideration in this session of Congress.

It is my hope, however, that, if the measure is not considered by the Senate during these remaining days of the first session, it will be considered and passed as early as possible next year so that it can operate in the 1968 political campaigns.

To do that, it may be necessary next year for us to modify certain of the provisions in the bill as reported in order to get on the lawbooks an effective measure as quickly as possible.

I am extremely proud of the bill reported today. The committee worked long and hard to prepare what I feel is the best possible measure for the financing of political campaigns that has ever been presented anywhere in or out of Congress. It is a combination of the best thinking of the members of the committee and of the Members of the Senate. It holds promise of doing more to democratize our democratic government than anything else that has ever been done before. It will make it possible, in an era of burgeoning campaign costs, for men of uncommon ability, but limited means, to participate effectively in shaping this country's destiny without having to rely on large contributions from questionable sources.

I hope this bill will have the attention and the support of my colleagues and of the American people.

Mr. President, the bill before us reflects the best thinking of all those who believe that there must be some better way other than entirely private financing to pay the cost of Federal elections, in order to assure that improper influence as a result of campaign contributions will be kept to an absolute minimum. This bill seeks to meet the problem both by saying how campaign contributions can be made, how they will be regulated in the private area, requiring the reporting of private campaign contributions and striking at corrupt practices, and by striking at the cause of a considerable amount of undue influence in Government—the way in which campaign funds are raised.

The bill before us reflects the best thinking of those who contributed to the heated and sometimes impassioned extended debate which occurred in the Senate during the early weeks of this session, including those who had very sincere doubts, and raised many questions about certain phases of the legislation, although they felt that the objective was in some respects a desirable one.

Much of the thinking of the Senator from Tennessee [Mr. GORE] is reflected in the measure before us—particularly to the extent that it provides that there should not be commingling of public and private funds when the Federal Government helps make it possible to finance a campaign for Federal office.

The bill before the Senate, both with regard to presidential candidates and to senatorial candidates, would require that the candidate decide whether he will spend public funds—and if he should elect to do so, he would account for them just as though he were anyone else spending Federal funds under a necessity of accounting for every single nickel, to show that it was properly spent, and for a proper purpose. The bill does not permit private contributions to be accepted by a candidate for President, for Vice President, or for the U.S. Senate, if he elects to avail himself of the Government funds available.

The bill does not seek to provide public financing for primary elections. They would continue to be financed by private contributions. Broad private financing would be encouraged by the tax credit provision which is also a part of this legislation. A person could put up $50, taking a tax credit of $25, as his contribution toward helping a candidate emerge from the primaries victorious. It would also permit anyone who sought to do so to continue to run with private financing in the general election campaign, and his contributors would have the benefit of the tax provision of a 50-percent credit on a contribution up to $50 if he decided to use private financing.

This bill would seek to free a candidate for President, for Vice President, or for the U.S. Senate from the necessity of going hat in hand to anyone, seeking private money for his campaign.

Mr. President, in my judgment a great deal of what is wrong with government in this country has to do with the manner in which campaigns are financed. In a discussion of ths subject with one of the most honorable men in government I have ever known, who has served in this body, he made a statement which explains, I think, about as well as any I have heard, what the problem is.

He said:

> We like to think and we like to say that these contributions to our campaigns have nothing whatever to do with our judgment, and that it really doesn't make any difference at all in arriving at what we will do about someone's problem, or how we will vote on legislation. Yet we know that it does make some difference.

It makes a difference in your attitude toward some people, even though you would like to think it does not, and it does have something to do with how some of the votes turn out.

This measure would seek to insure that those who run for public office, insofar as we have the power to make it so at this time, may be, like Caesar's wife, completely above suspicion, and to remove any pressure that would cause a public servant to feel that because certain individuals contributed to his campaign in large amount, he has something of an obligation to vote in their favor on matters important to their interests, rather than to vote 100 percent his own convictions on all issues.

Mr. President, it has been my experience through the years that when someone who had been a major campaign contributor, not only in one but in two or three campaigns, would call upon me and urge me to vote for some particular piece of legislation, I would hope I could go along or agree with that person, because he had contributed a large amount to my campaign. It is a practical problem in government, and one we will never be able to regulate simply by saying we will have to report campaign contributions. In the end, we must decide whether we want to free this Government completely from the influence which comes through money contributed to campaigns.

Strangely enough, Mr. President, through all the debate on this item, involving many millions of dollars—it is estimated that there would be about $28 million available to the two candidates for President in 1968 and about $26½ million available to candidates of the U.S. Senate in 1968—I have never yet had a single man who was a big campaign contributor ask me to vote for public financing of any campaign, even though that would, theoretically at least, relieve him of the burden of having a great number of his friends in Congress and people in the White House pressing him to contribute campaign money.

The fact that no one has ever asked me to vote on that basis leads me to believe that such people feel, when they contribute to political campaigns, that it is a good investment, and it is advantageous to have those in government come by to see them periodically, seeking campaign contributions.

But if we believe that theoretically, at least, every man should have as much influence in government as any other, and that any man's vote is worth as much as any one else's vote, then I believe it would be well that every person have equal influence in deciding who will be elected.

There will be some heated debate on the issue; but this is the fundamental issue that separated Alexander Hamilton from Thomas Jefferson, the one feeling that it was the elite, the well educated, the privileged who would be best qualified to decide what would happen and what the course of the Nation should be, therefore contending that only property owners should be permitted to vote at all.

The Jeffersonian theory was that the more hands into which the Goddess of Liberty is entrusted, the safer she will be. That was the course the history of this Nation took.

There is no doubt in my mind that when Senators get used to the idea, they will think more and more that it is better that campaigns for Federal office should have the least possible amount of private financing, particularly in cases in which one must seek large contributions from a relatively small number of people.

A part of the bill—the tax credit of one-half of up to a $50 campaign contribution—was voted without a single dissenting vote in the committee. In fairness, I should say that I do not believe that that provision will make nearly as great a contribution toward relieving the Government from the pressures of undue and improper influence as would be achieved by some of the more controversial sections of the bill. Some of the best things that happen in Government are achieved only after fierce, heated, impassioned controversies which lead to compromises; after people have contributed their best efforts and set forth their ideas, in an effort to reach a solution of the problem. The more controversial sections of the bill will, in the end, be judged

by history to be some of the best parts of it.

Mr. President, I note that the senior Senator from Tennessee is present in the Chamber. I thank him for the fine contribution he has made as a member of the committee and for his work on this legislation. I thank him as one who struggled for many hours with him in debating various aspects of this issue on the floor in the early part of this session.

I am happy that I can now join with him in supporting the bill.

Mr. GORE. Mr. President, I thank the distinguished junior Senator from Louisiana, the chairman of the Finance Committee, for his generous reference to the senior Senator from Tennessee.

I express gratitude for the diligent efforts and earnest attention he has given to this problem. It is a pleasure and an honor for me to join with him in this truly joint effort to bring about a basic political reform.

Mr. President, enactment of the bill which the chairman of the Finance Committee has just reported to the Senate would, in fact, be a fundamental political reform, one that has been too long delayed, one that has been long in the making, and one for which there is a pressing and increasing need.

President Theodore Roosevelt suggested this political reform in the year in which the senior Senator from Tennessee was born. So, it is not entirely a new idea. However, in the intervening period of time, the cost of political campaigns has skyrocketed until we are nearing the point—if indeed we have not already arrived at the point—at which only very wealthy men, or those who accept very large contributions from wealthy individuals or from vested interests, can seek successfully high Federal elective office.

I do not wish in this statement to indict any individual. I wish clearly to acknowledge that I have been a participant in this great system of self-government. I am aware of the pitfalls, the temptations, and the dangers, as every Member of the Senate must be.

Mr. President, if there is an important public function, it is the election of high officials of the U.S. Government. It is remarkable that the honesty, the efficacy, the probity, the verity, the effectiveness, the efficiency, and the vitality of the Government of the United States depends upon so few men and women.

A President and a Vice President are the only two officials in the entire executive branch of our Government upon whose qualifications, and in the election of whom, the American people have a direct voice.

Only in the election of a President, a Vice President, 100 Senators, and 435 Members of the House of Representatives do the 200 million people of America have an opportunity to vote, and it is these, plus the Supreme Court, who constitute the great triumvirate of the coordinate branches of Government for the most powerful nation on earth.

When we are dealing with the system for election of the U.S. Congress and the President and Vice President, we are dealing with the vitals of self-government in America. So, the Congress has not considered, nor will it likely consider for a long while to come, a measure more fundamental to self-government than will be the case when early next year, I expect, the chairman of the Finance Committee will rise on the floor of the Senate and call up the bill he just reported from the Finance Committee.

The measure provides for the use of public funds in the conduct of election campaigns for President, Vice President, and U.S. Senator. It does not provide appropriated funds for the campaigns for the House of Representatives. It is my hope that when the bill reaches the House of Representatives, the Members of that body will decide to amend the bill so as to include campaigns for election to the House of Representatives on a basis similar to that provided in the committee bill for senatorial campaigns.

Although the bill does not provide appropriated funds for campaigns for the House, it does provide public funds for these and other campaigns by providing a tax credit for private political contributions.

Mr. President, we have heard a great deal of propaganda against this bill and we have read a great deal of propaganda against it. All of that propaganda has been directed against what I regard as the most important provision in the bill—the provision which gives to candidates for high elective Federal office an opportunity to make a clean break with the campaign financing practices that have come to endanger the quality of the ballot box and endanger, indeed, the very system of self-government.

Actually, the bill provides two methods by which public funds may be provided to finance campaigns of candidates for President, Vice President, and the Senate. For those candidates who elect to finance their campaign in the traditional way—that is, in the only way now available—public funds are provided, in that people who make contributions to the political campaigns of those candidates will receive a tax credit for their contributions. I have heretofore opposed that method of providing public funds for campaigns, but I became convinced that something must be done in this field.

Neither I nor a majority of the committee wish to force candidates for Senator or for President and Vice President to choose a particular course. So we chose to make public funds available for the conduct of election campaigns in either of two ways:

One, a tax credit for private campaign contributions. That credit is subtracted from the taxes the contributor would otherwise pay to the U.S. Treasury. So make no mistake about it—it is money out of the Treasury.

The other method is to have the Federal Government reimburse from appropriated funds the legitimate, reasonable, and qualified campaign expenses of a candidate who elects to seek public office entirely at public expense. This would be the more economical of the two systems.

The tax credit approach will cost the Treasury more money; and when the debate proceeds, at the time this bill is called up for action, this will be demonstrated in detail.

There is no question about it. We had testimony from the Treasury about the cost of the tax credit proposal.

Mr. President, if a candidate for President, Vice President, or the Senate elects to seek that public office at public expense through appropriated funds, he must make application for reimbursement of his campaign expenses under restrictions carefully spelled out in the bill. In making that application, he must certify that he has not accepted and will not accept private campaign contributions in any amount from any source for the campaign expenditures for which he is to be reimbursed; nor can he spend his own funds for such purposes.

So here is an opportunity for a candidate to make a clean break with the vicious practices that now threaten the equality of the ballot box and the purity of our system of self-government.

The distinguished chairman of the committee referred to the fact that he and I had been in contention on a bill dealing with this matter earlier this year. The most serious objection I had to the measure passed last year was that it permitted the commingling of public and private funds in political campaigns. I believed that would cure nothing, that it might make the situation even worse.

I believe that the bill now reported meets this problem squarely. It would make it impossible for a candidate who elects to seek public office at public expense to profit from a political campaign, or to commingle his or his family's or his friends' private funds with public funds. I believe that candidates will make an election in this regard. I have no way of knowing how many will choose to go public, so to speak. It is my opinion that within a few years all will seek public office on this basis. And, oh, what a great improvement this would be.

I regard this as the most far-reaching election law reform that has been proposed since the amendment of the U.S. Constitution to require that Members of the U.S. Senate be elected by popular franchise. I dare say that it would work as much improvement in the quality of democracy. It would return the election of Federal officials to the basic ideal of American democracy—of one man, one vote.

Why, I ask, Mr. President, should the measure of a citizen's influence upon the election of public officials be the size of his pocketbook? This is an election law reform that goes to the heart of equality of the ballot box and the efficacy of self-government.

I congratulate the distinguished chairman of the committee upon his success in bringing to the floor of the Senate a bill with majority support of the Committee on Finance.

As I said earlier, the late President Theodore Roosevelt, so far as I know, was the first public official in the United States to urge that election to public office be treated as a public function, not left to the vagaries of political money from whatever source. But although it was suggested so long ago, progress has been slow. Enactment of the pending

bill, however, will be a giant stride forward.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LONG of Louisiana. Mr. President, I salute the Senator from Tennessee for the magnificent contribution he has made to our efforts to work out this problem in a manner that is most consistent with the public interest, particularly in a manner that is completely in accord with the Senator's deep convictions in this matter, after he has studied it for many years.

In my judgment, the time will come when not only will this be the law, but also, Americans will express amazement at our having permitted the fate of the American Government—in the election of a President and a Congress, when there was a direct confrontation on a division of issues involving the personal lives of people and their fortunes as well as the future of our Nation— to be dictated by the fact that one side had a great deal more money to spend than the other.

Mr. GORE. Or that one candidate was rich and the other was poor.

Mr. LONG of Louisiana. Exactly. The idea that we, at this point in history, would permit our fundamental decisions to be controlled by the power of money in elections, rather than simply by the honest judgment of people, after they had heard both sides fairly and adequately presented, I believe will be almost inconceivable to those who view it from a point in the future.

If we were permitted to look back 30 years from now, my guess is that any American at that time would consider it inconceivable that Americans at this point in our history would have been so little advanced in self-government that we would permit these vital issues—which have to do with whether we go to war or whether we stay out of it, whether we continue a war or whether we decide to withdraw from it, whether we make peace or do not make peace, whether we have a program that provides more for the poor or does not, whether we provide a high-level interest rate or whether we provide a low-level interest rate, whether industry is given certain advantages it seeks or whether we decline to do so—to be decided by the fact that one side has more money to spend than the other.

Mr. GORE. All issues.

Mr. LONG of Louisiana. Yes, virtually all issues that have anything to do with Government, where Government has anything to do with it, and that has a great deal to do with many economic issues, as the Senator knows can be affected or even decided by the way in which campaigns are decided. The level of prices is affected by the power of monopolies, by decisions we make in this body and by decisions made by the President.

It will seem unthinkable to those at some future point in history that we would permit someone to dictate the decision by the power of private money contributions with respect to the outcome of elections, by seeing to it that one side is heard more than the other side, or that one side is more able than the other side to buy more television, more of everything and, therefore, that one side can make it difficult for the other side to be heard at all even though the latter may have great support among the people. In terms of the progress of democracy such a result will be unthinkable 30 years from this date.

Mr. GORE. Who now in the Senate would want to amend the Constitution of the United States to strike out the provision requiring Members of this body to be elected by popular vote?

Mr. LONG of Louisiana. It would be unthinkable.

Mr. GORE. This reform was long sought and was long in coming. Finally, because of practices in elections conducted by some State legislatures, the situation became so scandalous that the U.S. Constitution was amended, but only after bitter opposition.

There is a strange affinity between conservatism and the status quo. It is a little difficult to understand, but those who are satisfied with practices and conditions as they are, are a little fearful of any change, a little suspicious of anything new, and they tend to defend the status quo and resist change. So we are apt to see a repetition of that.

I have heard statements by some Senators about how unthinkable it is, when we have an unbalanced budget, that the Senate would consider the provision of public funds for campaigns for elective office. And yet, those same Senators support enthusiastically the provision to give tax credits for campaign contributions, even to a candidate for sheriff. This is perhaps a more extensive provision of the bill than is justified. I acknowledge that I voted for it.

I think the time has come, and maybe the time is past due, when we must deal with the problem of election to public office and the influence of money in our national politics. I think, however, when we deal with it we must deal with it in the broad manner outlined in the bill which the chairman has brought to the Senate.

Mr. LONG of Louisiana. The Senator said no one would now suggest that women should not be permitted to vote. I know no one in elected office would. It was said that there was no proper concern on the part of women as to how the Government was run, and that they should be more interested in matters concerning the home and children and that they should not vote on the election of public officials. That argument had great support among men of the day. There was a time when people thought if women voted at all, that they should be loyal and vote as their husbands voted, and that if they were not loyal, not vote at all.

Women have done more to insist on honesty in government and insist that improper influences should be removed from government than men have done in those areas. There is no doubt about it. They have probably been less susceptible to that which appeals to the worst in persons rather than the best, than have men. Women's suffrage has tremendously improved our democracy. But there was a time when people sincerely thought that women should not vote.

Mr. GORE. I sometimes suspect that there might have been a few votes against it if we had had a secret ballot.

Mr. LONG of Louisiana. The reform we are seeking here, and it is part of the bill, would not only strike at corruption, improper influence, and undue influence, but also would seek to eliminate the cause of it.

Requiring people to report, regulating the amount they can contribute, or things of that sort would be merely treating the symptom if one did not seek to eliminate the cause of a great deal of improper influence in government.

It is difficult at times to debate this issue adequately because no one dares to admit that any of his decisions were ever in anywise influenced, or that a final decision was ever determined one way or the other because of the manner in which these campaigns are privately financed.

We would like to think that when the average Senator goes out and runs for office, hat in hand, seeking perhaps $250,000 to finance his campaign, that the contributions come in entirely because people appreciate his sterling character and his faultless integrity and not because he has voted for some economic interest or proposes to do so in the future.

One would like to think when the President is elected it did not have anything to do with the fact that large interests contributed great amounts of money to pay $20 million, $30 million, or even $40 million in campaign expenses.

Yet, if one simply acquaints himself with the conduct of his State legislature or what happens in his city council he knows that the power of money to finance these campaigns many times has altogether too much to do with decisions that are made.

It would be far better that these decisions be made completely separate from the power of money to influence political campaigns, and that is the basic reform that this amendment moves toward.

There was a time when I really did not believe we would be able to persuade the Congress to vote for a proposal that would preclude one from accepting private contributions in a campaign. When I first introduced my suggestion along this line, I felt that persons were so accustomed to private financing that you probably could not sell this idea. The majority of the Committee on Finance has been willing to buy the idea that the campaigns could and, if one desired, should be publicly financed.

One who runs at public expense, in all likelihood, will have much less financing available to him than one who runs at private expense. However, while he would have less funds available to conduct his campaign, he would have one thing to his advantage. He could demonstrate to the public that he was not accepting private contributions and that he was indebted to no one but his conscience and the people who voted for him. He would not have heavy obligations toward private

contributors resulting from the way in which the campaign was financed.

Mr. President, I have been in politics in one way or another for my entire lifetime. My father was elected to public office about the same time I was born on this earth. I have, therefore, had occasion to see some of the practical problems that good men are confronted with when they are of modest means seeking to obtain high public office with the finest of intentions and motives. I have had an opportunity to see the pressures and the practical problems with which such men are confronted. There is no doubt in my mind that history will judge this to be one of the important reforms—perhaps the most important reform of our time in the election process, if we make it possible for a person aspiring to the highest public office to be financially obligated to no one other than the public, whom he is sworn to serve.

Mr. GORE. I thank the Senator. Mr. President, let it be said that the public pays for the cost of political campaigns, one way or the other. There may be a few men so rich that they can finance their campaigns, but it is rare, indeed, where those who have it will spend their own money in such large amounts for such a purpose.

Thus, someone other than the candidate must provide the bulk of the campaign expenditures.

Now, which is safest for the public interest? Is it not truer to the ideal of democracy and the one-man, one-vote idea to face the issue squarely and say what is assuredly a truth—that election to public office is a public function, and then let the expense be borne by all the people, not by the few who contribute, some with worthy motives and some with selfish motives?

It seems to me that the answer is clear—as clear as a bell.

I predict that when we are able to bring this issue fully before the Senate, the vote will be a clear majority for passage of the bill.

I am happy, let me repeat, to join the distinguished Senator from Louisiana in this effort. I close by congratulating him upon the adroitness with which he has already presented the matter. He has been very busy with the social security bill and with many other important issues which require his attention. He delayed making this report until the opposition had fired its full salvos; and now the handgrenades having been bursted, the false propaganda having been disseminated and dissipated, from here on out the supporters of the bill are on the offensive and I predict that we will bring it to a vote with a clear majority early next year.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the minority views of H.R. 4890 be printed in the RECORD.

Mr. LONG of Louisiana. Mr. President, reserving the right to object—and I shall not object—does not the Senator know that I have already inserted those minority views in the RECORD today?

Mr. WILLIAMS of Delaware. I should like to have them appear at this point in the RECORD.

Mr. LONG of Louisiana. Well, that will put them in twice in the same day.

Mr. WILLIAMS of Delaware. Mr. President, I still ask unanimous consent that the minority views be printed in the RECORD.

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

MINORITY VIEWS ON CAMPAIGN FINANCING BILL

(NOTE. Following are the minority views on H.R. 4890, sometimes delicately referred to as the Presidential and Senatorial Campaign Financing Act, but more properly described as a "Poverty Program for Politicians.")

The Administration's proposal to finance the next election campaign from the Federal treasury not only is utterly indefensible on its face but in times of soaring budget deficits and demands for higher taxes represents nothing less than a gratuitous slap in the face of every tax-weary American taxpayer. At a time when we have record spending, an indicated all-time peacetime deficit, rampant inflation, and a request for a 10 per cent surcharge on income taxes it seems inconceivable that there should be a request for Federal subsidizing of candidates for President and the Senate with an invitation for Members of the House of Representatives to participate.

There are many reasons for opposing the public financing of political campaigns. One of the more fundamental reasons, which would apply even if the Federal Government were running a surplus right now, is that the whole election process should be voluntary, not compusory. The public financing provisions of this bill are a means of taking money out of the pockets of every taxpayer not only for the use of candidates of their choice but also for the use of candidates whom they oppose. This enforced collection of taxes from taxpayers by the Internal Revenue Service and turning them over to candidates to spend reflects a callous disregard for the preservation of a voluntary system of elections, so essential to the continuation of our system of government. We feel that the very essence of the American political process guarantees each voter the opportunity to work for, contribute to, and vote for the candidate of his choice. The public financing provisions of this bill are a break with that concept. They force everyone to support financially the candidates they oppose, while the candidate of their choice might receive no such funds. That such a paradox should be created is unthinkable. We are appalled that such an evil should even be considered.

This bill is particularly unfair to third party candidates. We feel that a strong two-party system is essential to maintenance of stable government in the United States, yet we recognize that voters should have an opportunity to support third party movements if they so desire. Public financing as contained in this bill, however, would deprive new third party movements of the opportunity to compete fairly with the two major parties; in fact, it would compound the disadvantages they now have.

Discrimination against third parties exists under the pending proposal for several reasons. First, the bill does not make public financing available for new parties until after the election. Thus, a third party expecting to make use of public financing would have to borrow funds. Second, since a new party would not know how many votes it would obtain in the election it would not know how much public financing money it might receive, if in fact it received any at all, and would not be able to make any meaningful estimate as to how much it would have to borrow. Third, new parties historically take more than one election before they obtain an appreciable number of votes. In the first election they may not obtain five per cent of the vote, and under the bill they would get no public financing. It is patently unfair to take tax money from a supporter of a third party movement and assign it to the two major parties. In this case you are forcing a man to give money to two parties he opposes and denying money to the party he supports.

Another important reason for our opposition to this proposal is that it envisions still another Federal spending program at a time when both the Executive and the Legislative branches are supposed to be trying to find ways to reduce Federal spending. It hardly makes sense for a Government which is already going into debt by about $2 billion a month to embark on still another wholly unnecessary subsidy program, one that might in fact wreck our election process.

The Administration now has before the Congress a request for a ten per cent surtax on personal and corporate income taxes because it claims that in the absence of higher taxes the Federal deficit may run as high as $29 billion in the present fiscal year. Surely this is no time to increase Federal spending, however small a percentage of the Federal budget the sum proposed in this bill may represent. If it is necessary to curtail existing programs in the interest of economy certainly it is no time to add to the Federal burden a new and wholly unnecessary campaign subsidy program such as the pending bill envisions.

The bill would provide $28 million for the two Presidential candidates and $26 million more for the Senatorial candidates in the 1968 election. Undoubtedly there will be a very substantial amount added for the Members of the House of Representatives. There is, of course, no way of knowing how much a new formula might add for candidates for the House, but if the formula for the House Members should approximate that of the Senate Members, based upon the votes cast for Senators, we think it is safe to say that this might add $73-million more for a total of some $127 million of public financing. Assuming that $200 million more will be provided by voluntary individual contributions the result would be an incredible $327 million campaign fund for candidates for Federal office in the 1968 Presidential election. There is no justification whatsoever for such an amount.

When we are faced with the prospect of a budgetary deficit which may be as high as $29 million and when the Administration has requested a 10 per cent increase in everyone's taxes it appears particularly inappropriate to suggest taking $125 million out of the public treasury to provide unneeded additional funds for political campaigns. Moreover, the very addition of these funds to those already available is in fact likely to drive up the cost of campaigning, particularly in the case of the cost of television time.

One of the arguments of the proponents of this legislation is that they want cleaner elections and a higher standard for public officials, but public financing will assure neither of these. They also contend that if campaign expenses are paid by the Federal Government candidates will not be beholden to any special interest group which helped to finance their campaigns. Yet the bill they support fails completely to achieve this end. Despite efforts to prevent it, the bill does, in fact, provide for the commingling of private and public funds. It contains no provision, for example, for the public financing of primary elections, and it is often at this stage that elections, other than that of President, are really decided. Presidential and Senatorial candidates under this bill cannot only make full use of privately solicited funds for primary contests but can continue to spend unlimited amounts of private funds for their general campaigns, so long as they stop such spending funds derived from pri-

vate contributors 60 days before election day. They then become eligible for full Federal financing up to the limits imposed by the bill. Federal financing then becomes, in effect, a substantial windfall, with the taxpayer footing the bills, for those who would use it.

Proponents of this legislation claim there would be no commingling of public and private funds because during the sixty days before an election and thirty days after the election only public funds can be used by a candidate electing to go this route. How inconsistent, to permit candidates to solicit and use private funds and then in addition give them a 90-day romp on taxpayers' funds. However, we all know that campaigns do not begin just 60 days before the election. In many cases the primaries or conventions for Senatorial candidates occur in the spring of the year. In other cases who the candidate will be is a foregone conclusion, no matter when the primary or convention takes place.

In any event, there is nothing in the bill which stops a candidate from running his primary with private funds. We all know that a primary may, in fact, be a primary in name only. It may, in reality, be a way of becoming known and getting views across to the public in order to run in the general election, or to be nominated in a primary, other than for the Presidency, may in fact be tantamount to election, so that it is often in the primary election where private financing plays its most important role. Yet this proposed public financing with taxpayers' funds ignores this most important problem. Moreover, even after the primary or nominating convention a candidate can use private funds for the period up to 60 days before the election. This means that from the primary in April or May, whenever it may be, up until early September a Senatorial candidate can run his general election campaign with private funds and receive the benefit of the tax credit provisions of the bill for this part of his campaign. Then, if he elects to use public funds he can set aside any remaining private funds and use the taxpayers' tax money for the next 90 days. After that time he is free to go back to publicizing his availability for office in the next election by the use of private contributions again. In other words, in the election year a Senatorial candidate can finance his campaign for nine months of the year with private funds and three months of the year with public funds. Then in the other five years during his term if he is planning to run for re-election he can use private funds to campaign throughout his state.

Not only then is the argument that this proposal will force campaigns to be financed either entirely with private funds or entirely with Federal funds wholly transparent, but it would actually aggravate the situation that it is ostensibly designed to eliminate. The bill, in short, would not put campaign financing on an "either/or" basis; rather it would put it on a "both/and" basis—both private and Federal funds could and no doubt would be used.

One problem with public financing of the campaigns for Presidential and Senatorial candidates, and presumably for House Members, has been overlooked. We are not among those who think that the Federal Government should be given a superior status to state or local governments. Yet this would be the effect of the public financing provisions of this bill since large amounts of public funds would be spent for Federal elections but not a bit for state and local elections. The result could be almost a blanketing out of campaigning by state and local candidates, which would further the trend toward Federal Government domination. An alternative would be the extension of this concept to include the financing of other local elections from the treasury of states, counties, or municipalities. The possibilities for expansion are endless once this concept of financing political campaigns from the public treasury has been established. It is worth noting, however, that the tax credit provided by Title I, to which we do not object, does not suffer from these evils since it is available equally to state and local candidates.

We are aware of the public concern with the opportunity for undue influence by large contributors under the present system of political campaign financing. We also are well aware of the difficulties in financing Presidential and Senatorial campaigns. However, we believe that this bill adequately deals with these points without superfluous and expensive public financing title. The 50 per cent tax credit with a ceiling of $25 per year for contributions should encourage wide, voluntary participation in political campaign financing. The fact that the credit is limited to one-half of a $50 contribution gives assurance that the contributions encouraged by this tax incentive will be spread broadly across the electorate. Moreover, the public disclosure rules we approved in the election reform act passed by the Senate on September 12, and also included as Title III of this bill, should go a long way toward removing the influence of large contributors upon candidates.

The tax credit is far preferable to public financing since it insures actual and meaningful participation on the part of the people, requiring a person to take his own money out of his pocket for each contribution he makes. Vastly more important, it permits the taxpayer to choose the candidate he will support, which public financing does not.

Because we favor a voluntary and not a compulsory election financing system, because we do not believe that this is the time to add unnecessary Government expenditures, and because we do not believe in the commingling of public and private election campaign funds we oppose the public financing title of this bill. The problems of undue influence of large contributors and the high cost of campaigning are dealt with in Titles I and III of this bill; Title II only adds unnecessary costs for the taxpayer.

Signed by:

JOHN J. WILLIAMS.
FRANK CARLSON.
WALLACE F. BENNETT.
CARL T. CURTIS.
THRUSTON B. MORTON.
EVERETT MCK. DIRKSEN.

ADJOURNMENT

Mr. LONG of Louisiana. Mr. President, in accordance with the order previously entered, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 25 minutes p.m.) the Senate adjourned until tomorrow, Thursday, November 2, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate November 1, 1967:

ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

Subject to qualifications provided by law, the following for permanent appointment to the grades indicated in the Environmental Science Services Administration:

To be lieutenant (junior grade)

Donald E. Nortrup

To be ensigns

Larry W. Mordock
Dennis L. Valdovinos
Ariel B. Mostue
Philip D. Hitch
Clarence W. Tignor

POSTMASTERS

The following named persons to be postmasters:

ALABAMA

Edward R. Perkins, Guntersville, Ala., in place of C. W. Hyatt, retired.

Marrion Amason, Marbury, Ala., in place of R. M. Fike, deceased.

Ann N. Green, Selma, Ala., in place of W. E. Davis, retired.

Gordon S. Greene, Woodward, Ala., in place of M. D. Hamel, retired.

ALASKA

Edwin S. Lames, Galena, Alaska, in place of N. R. Spees, deceased.

Robert K. Wright, King Salmon, Alaska, in place of M. I. Wright, deceased.

ARKANSAS

William L. Stevens, Judsonia, Ark., in place of D. H. Travis, retired.

CALIFORNIA

Ronald B. Clark, Camp Meeker, Calif., in place of R. A. Rodgers, retired.

FLORIDA

Lois P. Giles, Durant, Fla., in place of A. L. Varn, retired.

IDAHO

Wayne R. Guyer, Weiser, Idaho, in place of Josephine McMurren, retired.

ILLINOIS

Elizabeth M. Klemt, Custer Park, Ill., in place of L. E. Weir, retired.

Edward S. Sauber, Sycamore, Ill., in place of H. W. King, retired.

INDIANA

Lynn E. Riggs, Carlisle, Ind., in place of B. V. Hoover, retired.

Vinita M. McCullough, Lewis, Ind., in place of B. B. Richey, retired.

Helen L. Mitchell, Springville, Ind., in place of Grace Mitchell, retired.

IOWA

Robert S. Schreurs, Keota, Iowa, in place of J. E. Leinen, retired.

Chester A. Ruth, Jr., Percival, Iowa, in place of E. A. Cullin, retired.

Gene L. Crane, Pleasantville, Iowa, in place of I. O. Benge, retired.

Richard E. Avise, Rockwell, Iowa, in place of M. E. Roeder, retired.

M. Marguerite Gallery, Winterset, Iowa, in place of M. C. IlgenFritz, retired.

KENTUCKY

William T. Tillotson, Elizabethtown, Ky., in place of A. H. Jenkins, retired.

Justice D. Wood, Williamstown, Ky., in place of H. D. Lowe, transferred.

MAINE

Kenneth P. Ridlon, Steep Falls, Maine, in place of R. L. Harrington, retired.

MASSACHUSETTS

Charles R. Hill, Winchester, Mass., in place of T. J. Gilgun, retired.

MISSISSIPPI

James L. Harris, Jr., Macon, Miss., in place of T. W. Crigler, Jr., retired.

MISSOURI

Eddie E. Buffington, Centralia, Mo., in place of A. M. Sames, deceased.

Richard D. Roberts, Lancaster, Mo., in place of J. J. Ayer, retired.

MONTANA

Warren H. Davis, Anaconda, Mont., in place of V. S. Davis, retired.

NEBRASKA

Violet V. Smith, Haigler, Nebr., in place of B. L. MacGregor, retired.

Howard F. Baltensperger, Nebraska City, Nebr., in place of N. I. Uerkvitz, retired.

NEW HAMPSHIRE

Albert L. Hankins, Contoocook, N.H., in place of M. C. Emerson, deceased.

NEW JERSEY

Raymond South, Jr., Kendall Park, N.J., office established March 28, 1964.

Gertrude M. Pennington, Ocean Gate, N.J., in place of E. J. Brennan, deceased.

NEW YORK

Donald E. Egan, Sr., Johnson City, N.Y., in place of L. E. Youngs, retired.

Charles F. Ihle, Seaford, N.Y., in place of E. V. McGrath, retired.

Alben Klos, Stony Brook, N.Y., in place of U. C. Everling, deceased.

NORTH CAROLINA

Theodore B. Gray, Buxton, N.C., in place of M. M. White, retired.

Melvin E. Allison, Etowah, N.C., in place of A. O. Morgan, retired.

Elaine C. Osborne, Glade Valley, N.C., in place of R. D. Franklin, transferred.

NORTH DAKOTA

Leon L. Gilbraith, Crary, N. Dak., in place of Duane Converse, deceased.

OHIO

Roger B. MacDonald, Defiance, Ohio, in place of H. H. Goltzene, retired.

Louis R. Fagnano, New Middletown, Ohio, in place of F. N. Cernyar, retired.

OKLAHOMA

Finis E. Copeland, Maud, Okla., in place of C. C. McKown, retired.

Frank S. Cundiff, Perkins, Okla., in place of B. A. Fiolle, resigned.

PENNSYLVANIA

Michael Arden, Bear Lake, Pa., in place of E. L. Crowe, retired.

Robert P. Doherty, Darby, Pa., in place of Harry Tarbotton, Jr., retired.

R. Evelyn Miller, Mont Clare, Pa., in place of E. G. Smith, retired.

Edward R. Kalavik, Phoenixville, Pa., in place of J. D. Kane, Sr., transferred.

John J. McDonald, Jr., Vandergrift, Pa., in place of E. R. Williams, retired.

SOUTH CAROLINA

James W. Miller, Mauldin, S.C., in place of J. T. Massey, retired.

Charles E. Chasteen, Ware Shoals, S.C., in place of W. D. Russell, deceased.

SOUTH DAKOTA

Charles G. Sanftner, Belvidere, S. Dak., in place of S. E. Halva, retired.

Constance A. Gillen, White Lake, S. Dak., in place of E. S. Gillen, deceased.

TENNESSEE

Vetta S.. Garrigan, Woodland Mills, Tenn., in place of I. B. Prather, retired.

TEXAS

Marjorie M. Keeling, Avery, Tex., in place of T. G. Kealing, retired.

William A. Keith, Jr., Eddy, Tex., in place of Cecil Miracle, transferred.

Charley C. Davis, Jr., Helotes, Tex., in place of M. H. Barham, retired.

F. Charles Laffoon, Iraan, Tex., in place of S. C. Rhinehart, retired.

Bill R. Stanfield, Keene, Tex., in place of Ruth Hestand, retired.

Eugene C. Hrncir, Moulton, Tex., in place of J. M. Meiners, retired.

Herbert R. Mutschler, Nordheim, Tex., in place of B. H. Morisse, deceased.

Dorothy W. Vance, Orangefield, Tex., in place of P. F. Vance, deceased.

Norman S. White, Riesel, Tex., in place of M. E .Jud, deceased.

Kenneth R. McWhorter, Rochester, Tex., in place of Gussidell Buckner, retired.

Don N. Sanderson, Tulia, Tex., in place of F. Z. Pannell, resigned.

UTAH

John A. Schiefer, Springdale, Utah, in place of A. C. Hardy, retired.

VERMONT

Helen T. LeGrow, Sharon, Vt., in place of C. W. Cheney, retired.

VIRGINIA

George V. Utt, Cana, Va., in place of G. B. Utt, retired.

Malcolm L. Garber, Fort Defiance, Va., in place of H. S. Hulvey, retired.

Kenneth E. Legg, Middletown, Va., in place of H. S. Jones, retired.

Hilda S. Earhart, Mount Solon, Va., in place of J. L. Staubus, declined.

WISCONSIN

Leonard S. Ciezki, Greendale, Wis., in place of E. E. Bengs, retired.

WYOMING

Harold H. Vestal, Powell, Wyo., in place of C. D. Elledge, retired.

IN THE MARINE CORPS

The following-named (staff noncommissioned officers) for temporary appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Baker, Sam R., II
Davis, Gene F.
Martin, Gerald E.
Migliorini, Fred L.
Olsen, Spencer F.
Russell, Jimmie L.
Van Winkle, Howard R.

The following-named Marine Corps Reserve chief warrant officer for reappointment as chief warrant officer (W-2) in the Regular Marine Corps, subject to the qualifications therefor provided by law:

Frost, Jack A.

The following-named officers of the U.S. Navy for temporary promotion to the grade of captain in the staff corps, as indicated, subject to qualification therefor as provided by law:

MEDICAL CORPS

Babalis, William J.
Barnwell, Frank M.
Britton, Joseph H.
Burkhart, Vernon A.
Caruso, John, Jr.
Frew, Mable A.
Gordon, John J.
Hamilton, Warren W., Jr.
Hyams, Vincent J.
Jacoby, William J., Jr.
Kretzschmar, Hanns O.
Lucas, William E.
McDonough, Robert C.
McGinley, Joseph M.
Miller, Charles H.
Murray, Dermot A.
Myers, Willis S.
Paslay, Jefferson W.
Wilson, David Q.
Winter, William R.

SUPPLY CORPS

Ahern, James R.
Allshouse, Thomas J.
Bandish, Bernard J.
Borchers, Alyn B.
Canalejo, Armando, Jr.
Chetlin, Norman D.
Dellinger, Charley P.
Evans, Stuart J.
Fowler, George O., Jr.
Gaetz, Edward F., Jr.
Gallagher, Granville W., Jr.
Gallup, Mearl
Grechanik, Walter
Harris, Melvin W.
Hatch, Bobby L.
Hatch, James C.
Heasley, Gail L.
Hereford, James D., Jr.
Holfield, Arthur W., Jr.
Hutchison, Marvin S.
Jankovsky, Norlin A.
Johnson, Richard D.
Johnson, Warren B.
Kash, William B.
Keenan, Joseph I.
Keller, Bruce W.
Kennedy, Patrick F.
Knight, Reed H.
Lake, Donald H.
Longmire, Billy R.
Maurstad, Alfred S.
McCabe, John N.
McKenna, James E.
Nash, William T.
O'Connor, Thomas J.
Olin, William C.
Oliver, James C., Jr.
Oller, William M.
Ortland, Warren H.
Park, Jack M.
Pawlowski, Thomas J., Jr.
Phelps, Gordon W., Jr.
Pluto, Raymond J.
Polk, Donald E.
Polk, Robert B.
Prehn, John L., Jr.
Primm, Jules R.
Riley, George D., Jr.
Robison, John T.
Ryder, John K.
Schultz, Jackson L.
Shepard, John C.
Smith, Carlton B.
Spalding, Joseph E.
Stephens, Samuel S.
Sylvester, Nelson J., Jr.
Thompson, Edwin H.
Thompson, Robert W.
Van Osdol, Robert C.
Vogel, Robert E.

CHAPLAIN CORPS

Agnew, James F.
Anderson, Robert E.
Darkowski, Leon S.
Detrick, Wayne N.
Duncan, Henry C.
Hammerl, Paul C.
Hopkins, Ralph W.
Killeen, James J.
Lineberger, Ernest R.
McDonnell, James T.
Paulson, George I.
Power, Joseph G.
Schutz, Adam J., Jr.
Sullivan, Mark

CIVIL ENGINEER CORPS

Andrews, James D.
Barron, William W.
Butterfield, Ossian R.
Daggett, Robert E.
Dunnells, Robert E.
Held, Charles C., Jr.
Jasper, Paul R.
Jortberg, Robert F.
Klingenmeier, Russell J., Jr.
Perkins, Anson C.
Pickett, Eugene L.
Rumble, James D.
Russell, William F., Jr.
Sears, Kenneth P.
Shockey, Daniel N.
Simonson, Nelson C.
Stacey, Ernest R.
Timberlake, Lewis G.
Washburn, Jack E.
Williams, Richard C.
Williams, Thomas C.

DENTAL CORPS

Allen, Ethan C.
Bartosh, Andrew J.
Brown, Edward H.
Cohen, Robert
Dennis, Harry J., Jr.
Duggan, Norman E.
Elliott, Robert W., Jr.
Finnegan, Frederick J.
Mann, William H.
O'Malley, John E.
Penick, Edward C.
Rau, Charles F.
Reitz, Phillip V. D.
Wilkens, Carl H., Jr.

MEDICAL SERVICE CORPS

Chapdelaine, Jack A.

NURSE CORPS

Collins, Jeannette
Vitillo, Angelica

The following-named officers of the U.S. Navy for temporary promotion to the grade of commander in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Abe, Henry H.
Adamson, Edwin C., Jr.
Adler, Ronald E.
Adorney, Frank
Agnew, Dwight M., Jr.
Aitcheson, George A., Jr.
Albee, Thomas L., Jr.
Albers, William P.
Albright, Richard K.
Alderson, James M.
Alecxih, Peter C.
Alexander, Charles F.
Alexander, Adelore L.
Alford, William J.
Allen, George W.
Allingham, James R.
Almberg, Francis J.
Alvarado, Ramon C.
Ammerman, Clell N.
Amor, Raymond C.
Amoruso, Alfred P.
Anderson, Curtis O.
Anderson, Daniel W.
Anderson, Eugene G.
Anderson, Forrest P.
Anderson, Joseph F.
Anderson, Stephen P.
Anderson, Thomas F.
Andrassy, Michael F.
Andre, Andrew L.
Ankrum, Glenn E.
Armstrong, Stephen O., Jr.
Arnold, Robert B.
Ash, Leonard C.
Atkinson, Robert J.
Atwood, Henry C., Jr.
Augustine, Grant, III
Austin, James W.
Austin, Robert C.
Avrit, Richard C.
Baldwin, Charles C.
Ballou, Lawrence D.
Barber, William H.
Bardecki, Frank J.
Barke, Arthur R.
Barkley, James F.
Barlow, James D.
Barnes, Harry G., Jr.
Barnes, Harold
Barnes, William M.
Barrett, Thomas D.
Bartlett, Frederick R.
Basford, Michael G.
Bassett, Bradley A.
Bassett, Melvin S.
Battaglino, Joseph M.
Bauchspies, Rollin L., Jr.
Bauer, Bruce A.
Bauman, James R.
Baumgardner, John F.
Bayer, David A.
Bayne, John P.
Beaulieu, Reo A.
Beaver, John T.
Beck, John L.
Beck, Walter R.
Beck, William H.
Becker, Glynn R.
Beckwith, Gilbert H.
Beers, Robert C.
Beeton, Harvey J.
Behrle, Walter F.
Belechak, Stephen C.
Bell, Bill J.
Bell, James F.
Benner, Leslie W., Jr.
Berg, Robert L.
Bergbauer, Harry W., Jr.
Berger, Ronald A.
Berkhimer, Frank R.
Berry, Richard C.
Berthe, Charles J., Jr.
Besio, Louis F.

Best, Eddie F.
Beuris, Charles B.
Biasi, Nestore G.
Biggar, William
Billerbeck, Henry G.
Billeter, John L.
Bilyeu, Roland C.
Bingham, Joseph L.
Bird, Joseph W., Jr.
Bishop, Richard D.
Bittick, Marshall V., Jr
Bjork, Kenneth S.
Blaes, Carl E.
Blaes, Richard W.
Blaine, Thomas E.
Blanchard, Robert C.
Block, Steven
Blouin, Stanley G., Jr.
Blundell, Peveril
Boaz, George L.
Boggs, Steve V.
Boland, Bruce R.
Bolster, Harry E.
Bordone, Richard P.
Bosworth, Thomas C.
Botshon, Morton
Bottenberg, Foster L.
Botts, Ronald H.
Bowen, Thomas J.
Bowling, Charles R.
Bowling, Roy H.
Bowman, Frank S.
Boyer, William E.
Boyett, Stephen G.
Boyle, Henry F., Jr.
Boywid, Edward T.
Bozell, Rex K.
Brabec, Richard C.
Brackin, John D.
Bradbury, John I.
Bradley, Donald C.
Brammeier, Charles L.
Brasted, Kermont C.
Bravence, John, Jr.
Briner, Robert R.
Britton, William L.
Brooks, Edwin H., Jr.
Brown, Christopher H.
Brown, Donald D.
Brown, Frederick P.
Brown, George P.
Brown, Kenneth R.
Brown, Robert H.
Brown, Thomas F., III
Bruley, Kenneth C.
Brummage, Richard L.
Brunell, James I.
Buc, Gerald G.
Buchanan, Edward O.
Bucher, Lloyd M.
Buchholz, Philip P.
Buckley, James R.
Bueck, Robert K.
Bull, Joseph L., III
Bullman, Howard L.
Burgess, James A.
Burkhardt, Lawrence, III
Burnett, William M.
Burnham, Don E.
Burns, Richard F.
Burris, Raymond M.
Burtis, Evenson M.
Busey, James B.
Bush, Carl D.
Bushong, Brent
Butcher, Paul D.
Butler, Harold E.
Byberg, Robert C.
Byington, Melville R., Jr.
Byrd, Mark W.
Byrne, John A.
Caldwell, Charles B.
Cameron, Clifford R.
Cammall, John K.
Campbell, Donald S., Jr.
Campbell, Hugh J., Jr.
Campbell, Jack
Campbell, John F.
Campbell, Robert J.
Campbell, William N.
Cane, Guy
Cane, John W.
Cann, William A.
Cannell, Donald T.
Canter, Howard R.
Carl, William T.
Carlson, Olof M., Jr.
Carmody, Cornelius J.
Carnevale, Angelo M.
Carothers, Philip F., Jr
Carr, Nevin P.
Carr, Roland J.
Carrington, James H., Jr.
Carroll, James F.
Carter, Gerald M., Jr.
Carter, James D.
Carter, Robert D.
Carter, Winfred G.
Casimes, Theodore C.
Cassen, John S., Jr.
Castro, William B.
Cate, Thomas R., Jr.
Cave, David B.
Cavicke, Richard J.
Cavitt, William M.
Chambers, Dudley S.
Charest, Philip G.
Cheney, Donald A.
Chesley, James F.
Chidley, Ralph E.
Chin, Donald
Chisholm, George E., II
Clark, Charles R.
Clark, Philip K.
Clark, Richard G.
Clark, Robert A.
Clarkin, James J.
Clemens, Eugene M.
Clemens, Paul E.
Clew, William M.
Cloud, Benjamin W.
Coakley, Walter J., Jr.
Coe, Raymond P.
Colbus, Louis
Cole, Thomas T., Jr.
Cole, William S., Jr.
Coleman, Richard F.
Coleman, Thomas R.
Colgan, John G.
Collier, Byron H.
Collins, Edward P.
Collins, Ferdinand I., Jr.
Compton, Charles R.
Conaughton, Robert G.
Conboy, Thomas W.
Conklin, Robert B.
Conner, Lawrence O.
Connolly, Paul P.
Connolly, Timothy W.
Conroy, Robert O.
Coogan, Richard D.
Cook, Russell A.
Cooley, Charles H.
Cooper, Andrew N., Jr.
Cooper, Robert G.
Copeland, Edward C.
Coppess, Robert Y.
Corkhill, Thomas M.
Corley, Bennie L.
Corrado, Robert J.
Coughlin, Eugene F.
Courtney, Charles H.
Cowan, Daniel R.
Cox, Gerald W.
Crabb, Eugene V.
Crandall, Alan W.
Crane, Herbert C.
Craven, Robert C. E.
Crawford, Bobby C.
Crawford, Kerrins M.
Crawford, Nace B., Jr.
Crawford, Roderick P.
Crawford, William T.
Crayton, Render
Cricchi, John V.
Crockett, Thomas L.
Croom, William H., Jr.
Cross, Charles H.
Crosson, Harry E.
Cryer, John P.
Culbert, Joseph M., Jr.
Cunningham, Marshall E.
Currier, Richard A.
Curry, Thomas L.
Czaja, Bernard F.
Daigneault, Joseph J., Jr.
Daily, Hubert D., Jr.
Dallamura, Bart M., Jr.
Dally, David F.
Dalton, Richard V.
Daly, Richard G.
Damico, Richard J.
Dancer, Jerry D.
Daniels, James M.
Daubenspeck, Richard E.
Davenport, Philip C.
Davey, John R., Jr.
Davis, John B.
Davis, Ralph G.
Davis, Robert H., Jr.
Davis, Robert C., Jr.
Davis, Russell E.
Deal, Walter C., Jr.
Deam, Norman A.
Dean, Herbert J.
Dehart, William
Dehart, William
Delaney, John R.
Deloach, John W.
Demaris, Darryl A.
Dempsey, Gerald M.
Derda, James R.
Derr, John P.
Desrocher, Marvin P.
Desseyn, Maurice H.
Deuel, Jamieson K.
Devereaux, John R., Jr.
Dey, Gordon J.
Dickman, Jerry A.
Dickson, John A.
Dierdorff, Loren M.
Diesel, Charles N.
Dietz, Richard J.
Diley, Lewis E.
Dillingham, Paul W., Jr.
Dillon, Alfred J.
Dipace, Joseph V.
Divelbiss, Dallas R.
Dodds, Robert M.
Domingue, William A.
Doney, Robert G.
Donnell, Joseph S., III
Donnelly, Robert G.
Donnelly, Richard F.
Donohue, David P.
Donovan, Daniel E.
Donovan, Philip C.
Dorsey, Arthur G., Jr.
Douglass, James G., Jr.
Dowd, Francis X.
Dowe, William J., Jr.
Downs, James R.
Drain, John F.
Drayton, Henry E., Jr.
Drees, Morris C.
Drenkard, Carl C.
Dubino, Andrew D.
Duff, Robert G.
Dugan, Richard F., Jr.
Duhrkopf, Don J.
Duke, Marshal D., Jr.
Dunn, John F.
Dunning, James A.
Durant, Michael
Durant, Thomas W.
Durbin, Peter
Easton, Peter B.
Eckerd, Kenneth C.
Ediin, Robert L.
Eels, William R., Jr.
Ehl, James W.
Elder, Ralph C.
Eldridge, David B., Jr.
Elliott, Donal W.
Elliott, Jack B.
Elliott, Orville G.
Ellison, John C.
Elmore, John E.
Emerson, John R.
Engelbrecht, Richard H.
English, Francis W., Jr
Erickson, William K.
Evans, Boyce D.
Evans, George J.
Evans, Richard B.
Evans, Robert C.
Evrard, William E.
Eyres, Thomas D.
Farris, Don M.
Fellows, Charles D.
Felt, Joseph A.
Felter, John F.
Feltham, John C., Jr.
Ferguson, David E.
Ferrazzano, Fred J.
Fiedler, Peter B., Jr.
Fields, William B.
Fiene, Donald F.
Filkins, William C.
Filteau, George L.
Finneran, William J.
Fisher, John C.
Fitzgerald, Thomas W., Jr.
Fitzgerald, David E.
Flaherty, Robert M.
Flatley, John E.
Fletcher, John G.
Flom, Hewitt O.
Florance, John E., Jr.
Forbes, Donald L.
Forsman, Arvid E.
Forsyth, James P.
Fossum, Paul G.
Foster, Clifton G., Jr.
Fountain, Robert R., Jr.
Fox, Charles W., Jr.
Fox, Richard V.
Frank, Benjamin L.
Frankenfield, Robert T.
Fraser, George K., Jr.
Frederick, John L.
Freed, Maitland G.
French, Henry A.
Freund, Herman C.
Frick, Walter B.
Friddle, Frank R., Jr.
Friedel, Gordon W.
Fryberger, Elbert L., Jr.
Fudge, David A.
Furey, Laurence T.
Gallagher, Hugh L.
Gallotta, Albert A., Jr.
Gallup, Shelley P.
Gandy, John D.
Garcia, William V.
Gardenier, Robert R.
Gaskill, Richard T.
Geary, Jack E.
Gehring, Donald H.
Geronime, Eugene I.
Gherrity, Patrick F.
Gholson, Daniel H. L.
Gibber, Philip F.
Gibson, Robert B., Jr.
Gigliotti, Felix P.
Gillham, Richard D.
Gilmore, Arthur H.
Gilroy, John W., Jr.
Gleason, Joseph P.
Glover, Albert K., Jr.
Glover, Dennis C.
Glovier, Harold A., Jr.
Glunt, David L., Jr.
Goddard, Thomas B.
Goll, Gerald E.
Gomer, August W.
Goodrich, John R.
Goschke, Erwin A.
Gradel, Robert
Graf, Frederic A., Jr.
Graveson, George L., Jr.
Gray, Basil F., Jr.
Greene, George W., Jr.
Greene, William F.
Greer, Marvin S., Jr.
Greer, William E., III
Gregory, Donald G.
Gregory, John J.
Greiwe, William H.
Gress, Donald H.
Griffith, Webster
Griffiths, Rodney D.
Grose, Robert H.
Guess, Malcolm N.
Gullickson, Grant G.
Gunn, Max C., Jr.
Haas, Kenneth R.
Hagberg, Roy V.
Hager, Charles F.
Haggquist, Grant F., Jr.
Hahn, Frederick, Jr.
Hall, John V.
Halladay, Maurice E.
Halladay, Norman E.
Hamel, Louis H., III
Hamelrath, Walter F.
Hamilton, Clyde E.
Hamlin, Andrew L.
Hamm, Clement D., Jr.
Hammond, Russel J., Jr.
Hangartner, Lyle G.
Hanigan, Marvin F.
Hankins, Elton E.
Hargrave, William W., Jr.
Harlow, David L.
Harney, Russell F.
Harper, George T., Jr.
Harper, William W.
Harris, Jack R.
Harris, James W.
Harris, James C.
Hartley, John D.
Hartman, Gerald A.
Hartranft, Richard J.
Hartzell, Robert H.
Harwood, John B.
Hassett, Joseph K.
Hatch, Harold G.
Hatcher, Robert E., Jr
Havens, Stanley L.
Havird, Lloyd B.
Hawk, Arthur L.
Hawkins, Cecil B., Jr.
Hay, James C.
Hayes, Albert M., Jr.
Hayes, Francis X.
Hayes, James C.
Hayes, Jerome B.
Head, William N.
Headland, Carl B.
Hebbard, Leroy B., Jr.
Hecker, Stanley
Heft, James O.
Helgeson, Harry E., Jr
Helm, George N., Jr.
Helms, Raymond E., Jr.
Hendrick, David R.
Hendry, James D.
Henifin, Edward E.
Hennessey, Aloysius G Jr.
Henson, George M.
Henson, James D.
Hernan, Peter J.
Herzer, Oscar A.
Heyward, Irvine K., IV
Hickey, Edward J., Jr.
Hicks, Dilliard D., Jr.
Higginbotham, Allen B.
Higgins, John F.
Higgins, Richard G.
Higgins, Thomas G.
High, James T., Jr.
Highfill, Kenneth L.
Hilder, Leonard O., Jr.
Hill, Frank W.
Hille, Edward W.
Hinden, Stanley
Hinkle, David R.
Hinman, Albert H.
Hodge, Sidney T.
Hogan, Edward J., Jr.
Hogan, Thomas W., Jr
Hogan, Walter V.
Holcomb, Gordon B.
Holder, Luther C.
Hollenbach, William T.
Hollenbach, Richard G
Hollingworth, Roy M.
Holly, Daniel T., Jr.
Holmes, James W., Jr.
Holt, Henry C., IV
Holt, Philip R.
Hooper, Benjamin F.
Hope, Edgar G., Jr.
Hope, Herbert A., Jr.
Hopper, Thomas M.
Horner, John, Jr.
Horowitz, Charles L.
Horowitz, Norman
Horton, Robert L.
Horwath, William J.
Hoskins, Bill J.
Hostettler, Stephen J.
Howard, Donald L.
Howard, Joseph B.
Howell, Roswell L.
Hoye, James M., II
Hoyt, Richard L.
Hryskanich, Paul L.
Hubal, Augustine E., Jr.
Hubbard, Clifford R., Jr.
Hubbell, Walter B.
Huber, John J., Jr.
Hudgins, Thomas B.
Hughes, Ronald E.
Huisman, Roland K.
Hull, Fred A.
Hullryde, Donald
Humphrey, Morris L.
Hunter, Charles B.
Hunter, William J.
Hurd, John B.
Hurt, Jonathan S.
Hussey, William T.
Ike, Robert C.
Ireland, Blair
Jackson, Nelson P.
Jacob, Robert E.
James, Joe M.
Jameson, Henry C., Jr.
Jauregui, Stephen, Jr.
Jefferis, Allen S.
Jefferson, Robert R.
Jellison, Robert K.
Jenkins, Folsom
Jobe, James E.
Johnson, Alfred C., Jr.
Johnson, Eldon D.
Johnson, Emil L.
Johnson, Theodore F.
Johnson, William T.
Johnston, Fox H.
Johnston, James I.
Jolliff, James V.
Jonasz, Fredric
Jones, Henry R.
Jones, James F.
Jones, Jerry D.
Jones, John L.
Jones, Robert H.
Jongewaard, Larry L.
Jorgensen, Charles J., Jr.
Joy, Bernard I.
Joy, James A.
Juergens, John G.
Jurkowski, Joseph A.

Kaiser, Dean E.
Kaiser, Gilbert J.
Kaltenborn, James C.
Karge, Ronald E.
Kastelein, Cornelius
Kauderer, Bernard M.
Kavanagh, Robert G.
Kearns, William A., Jr.
Keely, Leroy B.
Keenan, Richard L.
Keener, John I.
Keith, Harold S.
Keith, William H.
Kelley, Alfred G., Jr.
Kellogg, Edward S., III
Ketzner, Harry T.
Kiddle, Bradley D.
Killian, Donald J.
Kilty, Lawrence R.
King, Edward L.
King, Richard B.
Kingsley, Stephen S.
Kinley, Frederic H. M.
Kinnaird, Martin J.
Kinne, Loren H.
Kish, Steven E.
Klar, Norman
Klee, Robert E.
Kline, Arlington N.
Kneisl, John F.
Knepper, Donald E.
Knerr, Donald O.
Knight, Cecil F.
Knowles, George I.
Koci, Vaclav H.
Kollmorgen, Frederick J.
Kowalskey, Zygmont J., Jr.
Kraus, Walter S.
Krumwiede, Jerold L.
Krusi, Pete H.
Kuffel, Robert W.
Kujawski, Theodore D.
Kurth, Ronald J.
Kuttler, Manford D., Jr.
Labarre, Richard E.
Lahr, John J.
Laib, Ernest E., Jr.
Lamb, David C.
Lamore, James F.
Landers, John D.
Landersman, Stuart D.
Langford, George R.
Langrind, Roy G.
Lanphear, Roy E.
Lappin, Robinson
Lardis, Christopher S.
Larson, Ralph S.
Lauber, Ronald M.
Lauer, William C.
Laurentis, William D., Jr.
Laurienzo, Robert L.
Lawler, Frederick W.
Lawler, James C.
Lawrence, Donald S.
Lawrence, Keith D.
Leach, Donald B.
Leaman, Richard E.
Learned, Charles W., Jr.
Leavitt, Horace M., Jr.
Lechner, George B.
Leenerts, Rolland E.
Lent, Willis A., Jr.
Leonard, John D., Jr.
Leonard, Robert W.
Leonhardi, Roger L.
Leslie, Richard
Lewis, Dewey T.
Lewis, Jesse W., Jr.
Lewis, Willis I., Jr.
Lietzan, Ernest W., Jr.
Limroth, David F.
Lina, Robert A.
Lindsay, Gilbert M.
Lindsay, Robert B.
Lindsay, Thomas L.
Livingston, Robert N.
Locke, Barrie B.
Loeffler, William H.
Logan, Joseph B.
Lorden, Lawrence R.
Lott, Carl D.
Lott, William A.
Lowry, George C.
Ludwig, George E.
Lunday, John W., III
Lynch, William C.
Lyons, Philip
MacAulay, Angus
MacClary, David B.
Machak, Peter N.
Mack, Chester M.
Mack, John
MacKinnon, James C., III
Madigan, James A.
Maier, William J., Jr.
Mallinson, William K.
Mares, James A.
Markoskie, John V.
Marks, Stanley J.
Marriott, Jack L.
Marsh, Alvin F.
Marsh, Lee S.
Marsha, Patrick P., Jr.
Marshall, Jack L.
Marshall, John T., Jr.
Martin, Charles W., Jr.
Martin, Edward H.
Martin, James K.
Martinez, Lucian C.
Martini, Richard A.
Mason, Ralph S.
Mason, Ralph A., Jr.
Massey, Roger A., Jr.
Masterson, Kleber S., Jr.
Matais, George R.
Mathews, Donald W.
Mathis, Harry L., II
Matthews, Paul C., Jr.
Matthews, William B., Jr.
Maxwell, John A.
May, Robert E.
McCabe, Billy E.
McCaffree, Burnham C., Jr.
McCall, Walter H.
McCarthy, Gerald D.
McCarthy, Thomas W.
McCartney, Rodney F.
McClellan, Parker W.
McClenahan, Richard M.
McComb, Robert B.
McConnell, Cyrus, Jr.
McCracken, John L.
McCrane, Brian P.
McDaniel, Johnny B.
McDowell, Curtis G.
McDowell, Don H.
McKay, Robert W.
McKee, George R., Jr.
McKenna, Patrick
McKenzie, Jon C.
McKenzie, James A., II
McKinster, James W.
McLaird, Preston, Jr.
McLaughlin, Bernard R.
McLendon, Millard S.
McMahon, Thomas J.
McNulty, James F.
McQuesten, John T., Jr.
McWaters, William A., Jr.
Meighan, John M., Jr.
Melton, Edward C., Jr.
Melville, Noel
Meredith, Stuart T.
Merget, Andrew G.
Merkler, George J.
Merritt, Robert L.
Merwin, Paul L.
Mesler, Robert A.
Meyer, Donald J.
Mhoon, John E.
Millen, Thomas H.
Miller, Bryce N.
Miller, Hal Y., Jr.
Miller, Kenneth F.
Miller, Raleigh B., Jr.
Miller, Robert R.
Miller, Ronald C.
Millman, Larry
Mills, James R.
Minetti, Bernard L.
Mirtsching, Leonard C.
Mitchell, Donald F.
Mitchell, Jerry L.
Mode, Paul J.
Monroe, Harvey N.
Monroe, William D., III
Montross, Robert W.
Mook, Joe
Mooney, John B., Jr.
Moore, Earle G.
Moore, Hugh A.
Moore, Johnnie R.
Moore, John R.
Moore, Milton W., Jr.
Moore, Raphael B.
Moore, Thomas G.
Moranville, Kendall E.
Moredock, William J.
Morgan, John M.
Morrison, Daniel N.
Mortimer, Edward H., III
Morton, Robert R.
Morton, Theodore E.
Mosman, Jack H.
Moye, William B., Jr.
Mozley, James F.
Muka, Joseph A., Jr.
Mulcahy, William J., Jr.
Mullen, Richard D.
Munson, Roger D.
Murphy, Elbridge F., Jr.
Murphy, George A.
Murphy, Richard G.
Musgrave, "R" "F"
Myers, Lowell R.
Mylander, Stig J.
Naschek, Marvin J.
Neel, William M.
Neel, William C.
Neill, Louis D., Jr.
Nelles, Merice T.
Nelson, Charles W., Jr.
Nelson, George E., Jr.
Nelson, Herbert F.
Nelson, Joshua J.
Nelson, Keith
Nelson, Teddy N.
Nesbitt, Harry J.
Newton, John E.
Neyland, James P.
Nichol, Monte B.
Nicholson, John L., Jr.
Nielsen, Donald E.
Nightingale, Billy R.
Nix, Walter C.
Nokes, Neil M.
Nordhill, Claude H.
Noren, Rees E.
Norton, John R., Jr.
Nothwang, David R.
Nott, Edward C., Jr.
Nuss, Charles R.
Nystrom, Frederic L.
Oaksmith, David E., Jr.
Oberg, Chester R.
O'Brien, John T.
O'Connell, William J.
Oder, John T.
O'Donnell, Richard J.
Offrell, David W.
Oldmixon, William J.
Olear, Joseph P.
Oleson, David E.
Olsen, Jerome J.
Olsen, Robert M.
Olson, Conrad B.
Olson, Gerard R.
Omalia, Robert J.
O'Neill, Norbert W.
O'Reilly, Charles W.
O'Rourke, Daniel, Jr.
Orsik, Walter A.
Orsino, Leo A.
O'Shaughnessy, Robert J.
O'Toole, Arthur L., Jr.
Ottey, William H.
Overdorff, William R.
Owens, Robert M.
Painter, George V.
Paolucci, Donald C.
Papio, Emil M.
Parker, John T., Jr.
Pasztalaniec, Matthew F.
Patrick, Julian C.
Patten, Robert S.
Patterson, William V.
Patterson, Lee R.
Paulk, John E.
Paulson, Allan G.
Pawley, Sigmund B., Jr.
Payne, Dean M.
Peacock, Henry F.
Pearlman, Samuel S.
Pearson, George W.
Peckworth, Dana
Peebles, Edward M.
Peery, William K.
Perault, David J.
Perkins, Jack C.
Perkins, Joseph A., Jr.
Personette, Alan J.
Pertel, Joseph A.
Petersen, Walter R.
Peterson, Dale A.
Peterson, Mell A., Jr.
Petit, Pierre A.
Pettigrew, Joseph H.
Pettyjohn, William R.
Pfarrer, Charles P., Jr.
Phillips, Charles A.
Phillips, John T.
Phillips, Lawrence, Jr.
Philpot, Marvin L.
Phoenix, David A.
Pifer, Charles E.
Pikell, Joseph V.
Pippin, William E.
Pitkin, Ronald E.
Pitts, David T.
Pitts, David B.
Pixley, George D.
Place, Allan J.
Poland, James B.
Pollack, Harold I.
Poore, Ralph E.
Pope, John W. R., Jr.
Poreda, Charles P.
Porter, Robert D.
Potosnak, Joseph E.
Potter, Arthur M., Jr.
Prell, Raymond B.
Premo, Melvin C.
Prentiss, Dickinson
Price, Oliver L.
Primeau, Don G.
Prindle, Charles O.
Puopolo, Michael J.
Purtell, Joseph M.
Quamme, Lyle D.
Quillin, Thomas E.
Quin, John M., Jr.
Raffaele, Robert J.
Ralph, Steve, Jr.
Ramos, Steve L.
Ramzy, James R.
Rand, Donald H.
Randall, Howard W.
Randall, Howard F., Jr.
Raper, Albert D.
Raunig, David R.
Rawls, Roy J.
Rayder, Daniel F.
Read, Richard R.
Reasonover, Roger L., Jr.
Reaves, Joseph C.
Reddick, Robert E., Jr.
Reese, Franklin W., III
Reffitt, Raymond E.
Register, Marvin O.
Reid, Richard G.
Reinhardt, Jerry B.
Reisinger, John E.
Rennie, William B., Jr.
Reynolds, James H.
Reynolds, Stuart V.
Rice, Daniel W.
Rice, Gary L.
Richards, Lloyd W.
Richards, Robert J.
Richards, Walter E.
Richardson, Harold M.
Richardson, Phillip D.
Richardson, William C.
Richter, Ronald P.
Ricketson, Francis B.
Rickley ,James M.
Ridge, James J.
Riegel, Robert W.
Riendeau, Arthur O., Jr.
Rigney, William J.
Riley, Kenneth J.
Robertson, Robert R., Jr.
Robey, George R., Jr.
Robey, Robert V.
Robinson, Duane A.
Robinson, Percy E., Jr.
Robinson, Thomas W., Jr.
Robinson, William H., Jr.
Robinson, William A.
Robinson, William N.
Rockefeller, Harry C., Jr.
Roderick, Daniel W.
Rodgers, James B.
Rodriguez, William P.
Roe, Charles W.
Roepke, John R.
Rogers, Charles E., Jr.
Rogers, Gerard F.
Rogers, Robert B.
Rogers, Warren F.
Roland, Gerald K.
Romano, Matthew E.
Roney, James R.
Rork, John K.
Rose, Charles C., Jr.
Rose, Hardy N.
Rose, William A.
Rossman, Robert H.
Roth, Conrad W.
Rowland, Charles M., Jr.
Rubey, William A.
Ruch, Martin, Jr.
Rudolph, Francis A., Jr.
Ruggles, Kenneth W.
Runyon, Richard E.
Russell, Kenneth B.
Russell, William F.
Ryan, Albert
Ryan, William A.
Sabol, Ernest J., Jr.
Salva, Fedor R., Jr.
Sanders, Edward K.
Sapp, Charles S.
Sarkisian, Ara
Saubers, Walter F.
Sawiak, Conrad B.
Saylor ,Thomas P.
Scarborough, Robert L., Jr.
Schaff, Donald J.
Schatzle, Francis J.
Schermerhorn, James R.
Schibel, Robert L.
Schlenzig, Robert E.
Schmidt, Gilbert E.
Schnell, Herbert L., Jr.
Schnetzler, Estill E., Jr.
Schoeckert, Robert D.
Schoeffel, Peter V.
Schultz, Eugene D.
Schuman, Martin S.
Schuster, Dale G.
Schuster, Gustave P.
Schweitzer, Robert J.
Scott, Austin B., Jr.
Scott, Jack E.
Scott, Robert W.
Seigenthaler, Thomas U.
Selby, Paul F.
Sellers, John W.
Sesler, Ralph M.
Sewell, Robert L.
Shafer, Don M.
Shanaghan, John J.
Sharp, Gail J.
Shaw, William M.
Shea, Rolland K.
Shearer, Oliver V., Jr.
Shearer, Thomas D.
Sheeley, Elmer E., Jr.
Sheets, Jean P.
Shelly, Ronald G.
Shemanski, Francis B.
Sherrouse, James B.
Shewchuk, William M.
Shoemyer, James W.
Shrader, Ebert F.
Shropshire, Edwin D., Jr.
Shuman, Edwin A., III
Silverman, Arnold M.
Simmons, Arlis J.
Simon, Douglas M.
Sisson, Thomas U., Jr.
Siverly, Paul L.
Skarlatos, Paul
Skeen, Richard R.
Skelton, Stuart A.
Skerrett, Robert J.
Skillen, Robert L.
Skolnick, Alfred
Skubinna, Myron A.
Slattery, Francis A.
Sliwinski, Daniel J.
Slyfield, Frederick J
Smiley, Charles B.
Smith, Alfred A.
Smith, Chester R.
Smith, David G.
Smith, "H" "O"
Smith, John P.
Smith, Joseph C.
Smith, Leighton D.
Smith, Thomas J.
Smith, William L.
Smith, William L.
Snider, Lloyd H.
Snively, Abram B., III
Snow, George M.
Snuffin, Jerry A.
Snyder, Aaron W. S.
Snyder, Edward C., Jr.
Snyder, Virgil C.
Soderholm, Richard C.
Solan, Thomas V.
Somerville, William J.
Sonniksen, Ronald G.
Sorenson, Curtis A.
Southwick, Charles E.
Spargo, Richard A.
Spaulding, Ralph L.
Speirer, Paul E., Jr.
Spiegler, Felix R.
Springston, William A.
Stamm, Ernest A.
Stanard, John D., Jr.

Starcher, Charles W., Jr.
Steel, Charles E.
Steele, Francis X.
Steinman, Alfred D., Jr.
Steele, Ted C., Jr.
Stefferud, David R.
Steffes, Herbert J. D., Jr.
Stephens, Wayne L.
Stephenson, Donald L.
Stevenson, Donald W.
Stewart, Blair
Stierman, Joseph W., Jr.
Stinner, Robert J.
Stoffel, Michael J.
Stolle, Edward S., Jr.
Stoltz, Kenneth E.
Storck, Bernard F.
Storms, James G., III
Stovall, John C.
Studebaker, Clayton A.
Sturm, Gerard M., Jr.
Sullivan, Joseph E., Jr.
Sullivan, John G.
Sullivan, Russell J.
Sullivan, Thomas J.
Sutherland, Terence B.
Sutherland, William P.
Suzan, Frank M.
Sweeney, John H., III
Sweet, Harry J.
Tabler, Benjamin E.
Talbot, Frank R., Jr.
Tanner, Charles N.
Tappan, Jeremy R.
Tarlton, Joe E.
Tate, Charles E.
Tate, John F.
Taylor, Arthur C.
Taylor, Charles C.
Taylor, Harold A., Jr.
Taylor, James D.
Taylor, Reeves R.
Templeman, William E.
Tenney, Vincent L.
Teuscher, John J.
Thalman, Robert H.
Thomas, Douglas N.
Thompson, Jack C., Jr.
Thompson, Richard L.
Thornton, Ray O.
Thunman, Nils R.
Tibbetts, Herbert E.
Timm, Alvin R.
Tinkler, David R.
Tise, Donald G.
Toland, Hugh J. C., Jr.
Tolg, Robert G., Jr.
Tomlinson, Alva C.
Tortora, Anthony M.
Townley, John L.
Townsend, Marshall N.
Treagy, Paul E., Jr.
Trebbe, Shannon L.
Trenham, Herbert D.
Trevors, George A.
Trowbridge, Vern H.
Tucker, Eli L., Jr.
Tucker, Thomas A.
Turner, Ralph A., Jr.
Tuttle, George S.
Uelman, William C.
Ulmer, Donald M.
Ulrich, Charles H.
Vaden, Donald E.
VanAntwerp, Richard D.
VanDyke, Willard H., Jr.
VanHoof, Eugene R.
Vatidis, Christopher R.
Vaughan, Evan J., Jr.
Vaughan, Robert R.
Velazquez-Suarez, Francisco A.
Vellom, Lee S.
Verich, Demetrio A.
Vernon, Everett L.
Viera, John J.
Vine, Victor J.
Vinti, Joseph P.
Vitali, Burt M.
Vogt, Henry L., Jr.
Vohden, Raymond A.
Vojtek, Thomas M.
Vosseller, John H.
Waddington, Jack B.
Wade, Manley B.
Walker, Charles
Walker, Peter R.
Wallace, James D., Jr.
Walsh, Don
Walsh, Harvey T., Jr.
Walsh, Joseph A., Jr.
Washchysion, John
Watson, John
Watson, Max H.
Watson, Robert M.
Watson, Thomas C., Jr.
Watson, Wyatt P.
Weber, Lawrence K., Jr.
Wehling, Michael S.
Wehrman, Philip W.
Weir, Jack T.
Weitz, Paul J., Jr.
Wells, Peter M.
Wells, Walter H., Jr.
Wensman, Linus B.
Werness, Maurice H.
Wessel, James E.
West, Denton W.
Westmoreland, Ralph M.
Wetzel, Weslie W.
Wheat, Billy V.
Wheeler, Charles G.
Wheeler, James B.
Wheeler, John R.
Wheeler, Robert L.
White, Bernard A.
White, Charles E.
White, Charles L.
White, Donald C.
White, Donald J.
White, James R.
White, William A.
Wiederholt, Jerome B.
Wight, Roy R.
Wildberger, August M.
Wildman, John B.
Wilford, Donald M.
Will, John M., Jr.
Will, Otto W., III
Willhauck, Marion
Williams, Edward O.
Williams, Louis A.
Williams, Randall L.
Williams, Ralph E., Jr.
Williams, Ronel J. D.
Williams, Wallace E.
Williamson, James F.
Willis, Arthur A., Jr.
Wilmer, Robert R.
Wilson, David G.
Wilson, James A., Jr.
Wilson, Richard V., Jr.
Wilson, Robert W., Jr.
Winans, Gilbert L.
Winkler, Thomas Q., Jr.
Winkowski, John R.
Winslett, John C., Jr.
Winton, Fred B., Jr.
Wirt, Robert O.
Wisdom, Robert W.
Wise, James E., Jr.
Witherow, Thomas S.
Withers, Fred J.
Withrow, John E., Jr.
Wohl, Paul
Wolf, James D.
Wolff, William F.
Wolke, Victor B. C.
Wood, Charles S.
Wood, Fred L.
Wood, John P.
Wood, Noel T.
Woodall, Franklin T., Jr.
Woodbury, Kyle H.
Woods, Robert C.
Woodward, John L.
Woolery, Edgar F.
Wootten, Thomas F.
Wright, Charles H., Jr.
Wright, James D.
Wright, James R.
Wright, Kenneth L., Jr
Wright, Marshall O.
Wright, William W.
Wyckoff, Peter B.
Yarger, Luther D.
Yarwood, John O.
Yates, James L., Jr.
Yeager, Donald R.
Yenowine, George H.
Young, David B., Jr.
Young, Glenn L.
Young, Harold L.
Young, James E.
Young, Joseph A.
Youngblood, Newton C.
Zable, Joseph J.
Zapalac, Robert E.
Zelones, Vincent L.
Zick, Richard A.
Zidbeck, William E.
Zilch, Charles H.
Zirps, Christos
Zophy, Merle E.
Zuilkoski, Ronald R.

MEDICAL CORPS

Aaron, Benjamin L.
Adeeb, Allan J.
Austin, Frederick L., Jr.
Bailey, David W.
Baird, Robert M.
Baker, William P.
Barchet, Stephen
Barrett, Warren M.
Bartlett, Eugene F.
Bason, William M.
Baxter, John C.
Beach, Thomas B.
Beasley, Walter E., III
Becker, Matthew K.
Beckman, William R.
Beeby, James L.
Bemiller, Carl R.
Berry, Juanedd
Billingsley, Frank S.
Biron, Pierre E.
Bishop, Robert P.
Blais, Bernard R.
Bloom, Joseph D.
Brackett, John W., Jr.
Broadley, Paul H.
Brooks, Robert T., Jr.
Bucko, Matthew I., Jr.
Cameron, Ronald R.
Carr, John E.
Carson, William E., Jr.
Cassidy, Walter J., Jr.
Cavin, William J., Jr.
Coil, Edmonston F.
Colangelo, Eugene J.
Collier, James C. P., Jr.
Comer, Ralph D.
Conkey, George A.
Connolly, Edward B.
Cowen, Malcolm L.
Cox, Jay S.
Cunningham, John E., Jr.
Deaner, Richard M.
Defries, Hugo O.
Dihl, Jerald J.
Ernst, Donald W.
Evans, Fred S.
Floyd, John S., III
Flynn, Peter A.
Frazier, Wayne E.
Freeman, Edward E.
Furuya, Clinton M.
Gill, Kenneth A., Jr.
Gilson, Benjamin J.
Goller, Vernon L.
Gragg, Donald M.
Harmon, Stanley D.
Hauler, Donald R.
Hauser, Roger G.
Hodge, Warren W.
Hoke, Bob
Holmboe, Arthur H.
Hopwood, Herbert G., Jr.
Hudgens, William R.
Inman, Charles E.
James, Stephen H.
Jones, Clyde W.
Kelley, Donald L.
Kendra, Stephen J.
Kent, Tommy S.
Kerwin, Joseph P.
Knapp, Robert W.
Kostinas, John E.
Lang, Jesse E.
Langevin, Jack A.
Lansinger, Donald T.
Lawlor, Peter P., Jr.
Lawton, George M.
Learey, Kenneth L.
Leffler, Lynn E.
Levy, Jerome
Loew, Albert G., Jr.
Lyster, Norman C., Jr.
MacCarty, Denton E.
MacDonald, Rodney I.
Magi, Martin
Mammen, Robert E.
Martin, George F., Jr.
Mathews, George W., Jr.
McGowan, Edward M., Jr.
McHale, James J., Jr.
McIntyre, James A. A.
McLear, William Z., III
Meehan, William L.
Merchant, Raymond J., Jr.
Meredith, Robert C.
Miewald, John R.
Miner, Walter F.
Moll, Francis K., Jr.
Moquin, Ross B.
Morgan, Jacob R.
Morgan, Robert I.
Moyers, James R.
Mullins, Wallace R.
Mullins, William J., Jr.
Myers, Robert C.
Neel, Samuel N.
Norton, Richard H.
O'Brien, Robert M.
Ochs, Charles W.
O'Halloran, Patrick S.
Oldershaw, John B.
O'Neal, David M.
Palumbo, Ralph R.
Payne, Charles F., Jr.
Pettengill, Howard W., Jr.
Pohle, George A.
Poley, Richard W.
Powers, Samuel A.
Pulicicchio, Louis U.
Rack, Robert V.
Randall, Glenn H.
Reckenthaler, Karl J.
Rish, Berkley L.
Rivera, Julio C.
Robl, Robert J.
Rohren, Donald W.
Rolen, Alvin C., Jr.
Rudolph, Samuel F., Jr.
Russotto, Joseph A.
Sargent, Charles R.
Schmetz, Frank J., Jr.
Scott, Charles M.
Sharpe, Richard G.
Shepard, Barclay M.
Sims, Norman L.
Smith, Joe P., Jr.
Smith, Jose C. S.
Smith, Ronald W.
Snyder, Harry D.
Spence, Kenneth F., Jr.
Steffenson, John L.
Steyn, Rolf W.
Stout, Bill D.
Strange, Robert E.
Swartz, Philip K., Jr.
Takaki, Norman K.
Thompson, Robert E.
Tilock, Fred H.
Tobey, Raymond E.
Tolchin, Sidney
VanPeenen, Peter F. D.
Wagner, Philip I.
Walklett, William D.
Walter, Eugene P.
Weir, Gordon J., Jr.
Weitzman, Gerald
Willcutts, Harrison D.
Williams, David L.
Wilson, Wayne R., Jr.
Wolfe, Franklin M.
Young, George M.
Youngs, Luther A., III

SUPPLY CORPS

Alderman, Charles B.
Almen, Richard E.
Anderson, Richard A.
Anglim, Matthew E., Jr.
Arnold, Harry H.
Ayling, Charles W.
Badger, George R.
Bechtelheimer, Robert R.
Bennett, Richard B.
Bledsoe, William M.
Bodart, Cletus W.
Breit, James A.
Brewin, Robert L.
Briggs, Irving G.
Brooks, John E.
Bruyneel, Louis K.
Byers, Austin L.
Canon, Roscoe H., Jr.
Carpenter, Arthur J.
Casselberry, Lynn W., Jr.
Causey, Bruce M., Jr.
Caverly, Michael K.
Chapman, Charles B., III
Christenson, Richard D.
Clark, Shelby V. T.
Coleman, Ernest B.
Cook, Gerald W.
Cornelius, Jack M.
Cronk, Philip W.
Davis, Raymond P.
Ditto, Chester L.
Dollard, Paul A.
Dusenberry, Frank J.
Eastwood, William O., Jr.
Ebert, Scott W.
Epstein, Edwin S., III
Farrell, James G.
Fekula, Theodore V.
Ferraro, Niel P.
Fiske, Leon S., Jr.
Freese, Ralph F.
Fuka, Otto J., Jr.
Gaddis, Glenn L.
Gallagher, Robert F.
Gapp, John J.
Gilpen, Franklin M.
Goodwin, Earl E.
Gore, Austin F., Jr.
Graessle, Philip G.
Gray, Jack E.
Harkin, James W.
Harrigan, Thomas F., Jr.
Hawkins, Charles A.
Hendrickson, Richard
Hennessy, William J.
Henseler, Richard C.
Hochmuth, Alvin E., Jr.
Hohenstein, Charles R.
Horrigan, John W., Jr.
Jesser, Arthur D.
Johnson, James R.
Johnson, Millard J.
Jones, Ronald A.
Kela, Frederick H.
Kispert, Lane A.
Krukin, Lawrence E.
Lanphere, Robert J.
Larson, Nelson S.
Leblanc, George J., Jr.
Leblanc, Merrill M.
Lemly, William D.
Lemma, Paul A.
Lindsay, William E.
Lovell, Donald E.
Lyons, John J.
Maxwell, Kenneth R.
McDaniel, Roderick D.
McNeill, Neil E.
McSwain, Billy G.
Mercier, Arthur G.
Moore, William J.
Mullen, James V.
Nelson, Alfred B.
Nolan, Frank R.
O'Connor, Robert W.
Olson, Harvey T.
Ostrom, Lester E.
Ott, Matthew J.
Parent, Elias A., Jr.
Pavlisin, Frank
Peek, Luther W.
Perry, Robert P.
Peterson, Kenneth A.
Petrie, Roland A.
Pottinger, Ian G.
Powell, William M.
Prutzman, William L.
Rady, William J., Jr.
Ribble, Marland S.
Richards, Walter T.
Riordan, William H.
Rolfe, James A.
Ross, Howard T., Jr.
Ross, William T., Jr.
Roth, Richard J.
Rothenberger, Donald J.
Ruth, Stephen R.
Salgado, Paul R.
Sansone, Joseph S., Jr.
Savage, William H., Jr.
Shipley, Maynard K.
Smith, Jay R., Jr.
Snyder, Earl L.
Springer, Donald F.
Stevenson, Ray H.
Strange, Geoffrey G.
Strange, Hubert E., Jr.
Stumbaugh, David C.
Taylor, John B.
Temte, Knute P.
Tillery, Preston J.
Topping, James F.
Trimble, Philip
VanValkenburg, Max W.
Velotas, Bill M.
Vogel, Ralph H.
Wagner, John E.
Waid, Stanley B.

Walker, Edward K., Jr.
Warneke, Grover C.
Weber, Robert J.
White, Frank L.
White, Jack A.
Williams, Raymond L.
Williams, Rex M.
Williams, Walter L.
Wilson, Donald E.
Wong, Ronald M.
Wood, Lee Jr.
Young, Charles W.
Young, Robert H.
Zeberlein, George V., Jr.

CHAPLAIN CORPS

Chambliss, Carroll R.
Clardy, William J.
Cortney, Kevin J.
Dodge, John K.
Fedje, Earl W.
Fitzgerald, Owen R.
Greenwood, Charles L.
Hilferty, Thomas J.
Howard, Marvin W.
Kemp, Charles D.
Kinlaw, Dennis C.
Laboon, John F., Jr.
Lemieux, Ernest S.
McAlister, Fred R., Jr.
McFarland, Cecil E.
Meschke, David L.
Miller, Stanley D.
Newton, John G.
O'Connor, William B.
O'Gorman, Charles F.
Ota, Peter I.
Phillips, Harold E.
Propst, Roy A., Jr.
Reid, James D.
Seegers, Leonard O.
Shipman, "J" "T"
Slejzer, Ferdinand E.
Snyder, Marvin E., Jr.
Urbano, Francis J.
VanLaningham, Maurice R., Jr.
Vest, William T.
Walsh, Ronald J.
Webb, Charles E.

CIVIL ENGINEER CORPS

Andersen, Charles P.
Anderson, Warren H.
Barber, Horace M.
Berdan, Maurice R.
Billet, Donald F.
Brooks, Kenneth D.
Burger, Henry K.
Burns, William J., Jr.
Carioti, Bruno M.
Clerc, Louis H.
Crockett, Billy G.
Daniel, William F., Jr.
Davis, Walter E., Jr.
Demidio, Joseph A.
Ecklund, Glenn L.
Edson, Theodore M.
Gans, George M., Jr.
Gaulden, Roy D., Jr.
George, Roscoe D., Jr.
Hanlon, Mark Z., Jr.
Hartell, William K.
Haynes, Howard H.
Hines, John C.
Johnson, Durrell A.
Jones, John P., Jr.
Jones, Thomas K.
Lake, George
Lewis, Frank H., Jr.
Mangan, Thomas J., Jr.
Merica, Charles A.
Mitchell, Thomas J.
Moger, Jack B.
Moore, Fred, Jr.
Morton, Donald A.
Mulder, William H.
Nystedt, Russell P.
O'Brien, Thomas J.
O'Leary, John F.
Oscarson, Edward R.
Paulsen, Raymond E.
Petzrick, Paul A.
Plante, George E.
Reeves, Ronald B.
Seites, John H.
Sherrod, Henry C., Jr.
Smith, George L.
Socha, Albert R., Jr.
Sweeney, John C.
Sylva, John P.
Toliver, Jack M.
Tombarge, John W.
Trunz, Joseph P., Jr.
Uhe, James L.
Urish, Daniel W.
Verdi, Stanley N.
Wile, Dorwin B.
Williams, Jesse R.
Wolf, Robert B.

DENTAL CORPS

Allen, Robert W.
Allman, Daryl M.
Amato, Angelo E.
Applegate, Donald E.
Atkinson, Robert A.
Barlow, Doil E.
Biron, George A.
Bottomley, William K.
Bradford, Paul L. J.
Brecker, Paul L.
Brenyo, Michael, Jr.
Burch, Meredith S.
Burke, Joseph H.
Cagle, John D.
Carrothers, Richard L.
Castronovo, Sam
Charles, James H., Jr.
Christian, James T.
Corio, Russell L.
Cummings, Matthew R.
Davis, Malcolm S.
Diem, Charles R.
Dodds, Ronald N.
Edwards, Richard C.
Fenner, David T., Jr.
Fenster, Robert K.
Firtell, David N.
Gomer, Ronald M.
Gonder, Donald C.
Goska, John R.
Grimsley, William A., Jr.
Grove, David M.
Hanson, Richard K.
Hill, Ronald K.
Hoffmann, Robert M.
Howe, Robert E.
Huestis, Ralph P.
Kitzmiller, John S., Jr.
Koss, Ronald J.
Leonard, Walter P.
Lessig, John F.
Lucker, Ronald W.
Mark, Leonard E.
McCann, Thomas F.
Messer, Eugene J.
Miller, James E.
Moore, Robert E.
Moyes, Edmund R.
Neagley, Ross L., Jr.
Nielsen, Theodore C.
Parsons, Richard L.
Pirie, George D.
Plump, Ellsworth H.
Reed, Wilbur G.
Richter, Henry E., Jr.
Roper, David A.
Semler, Harry E., Jr.
Smith, John M.
Spearman, Glyn M., Jr.
Stallworth, Henry A.
Stanton, George A., Jr.
Stump, Thomas E.
Sugg, William E., Jr.
Sullivan, William C.
Swaim, Bobby L.
Thomas, Robert E.
Trusz, Edward J.
Verunac, James J.
Viles, Darel D.
Walters, Ray A.
Wilkie, Noel D.
Williams, Frederick B.

MEDICAL SERVICE CORPS

Ball, Ernest A. W.
Beckwith, Joan M.
Brandon, Daniel A.
Connery, Horace J.
Cook, Paul E.
Curto, James C.
Dennis, "J" "M"
Dietch, Michael M., Jr.
Feith, Joseph
Gilbert, Richard S.
Heath, Jean L.
Holston, Charles A.
Janson, Harold J.
Johnston, James F.
Long, William L.
Miller, Harry P.
Oleson, Russell H.
Petoletti, Angelo R.
Reed, John R.
Richardson, James W.
Riser, Ellis W.
Roach, Leon M.
Schaffner, Leslie J.
Scrimshaw, Paul W.
Smith, Robert L.
Smout, Jay C.
Steward, Edgar T.
Thompson, Robert E.
Turner, David H.
Wetzel, Orval B.
Woodham, James T.

NURSE CORPS

Alexander, Betty J.
Barnes, Annabelle
Crosby, Nancy J.
Donoghue, Margaret C.
Ferguson, Miriam M.
Fogarty, Anna L.
Haire, Marion B.
Johnson, Imogene L.
Jones, Eva D.
Lanaghan, Harriett M.
Maynard, Mary E.
Obarto, Waldena
Perlow, Marion R.
Peterson, Lee
Pfeffer, Elizabeth M.
Robinson, Libia G.
Shea, Claire M.
Shea, Frances T.
Sheridan, Anne M.
Stewart, Mary G.
Wathen, Mary J.
Wilson, Katherine

The following-named women officers of the U.S. Navy for permanent promotion to the grade of commander in the line, subject to qualification therefor as provided by law:

McKee, Fran
Safford, Charlotte L.

The following-named officers of the U.S. Navy for permanent promotion to the grade of lieutenant (junior grade) in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Baugh, William F., Jr.
Bryant, Leon C.
Burke, Richard L.
Butler, Richard M.
Carpenter, George K.
Davis, Dean D.
Haan, Linda L.
Koepke, William R.
Kozain, William P.
Longshaw, Jeffery S.
Norris, Jerry D.
O'Rourke, John B., Jr.
Prior, Charles A.
Rabine, Virgil E.
Rogers, Clyde W.
Rumbaugh, Richard L.
Shaw, Michael G.
Shefchik, Gerald C.
Smith, Thomas N.
Yankura, Thomas W.

SUPPLY CORPS

Barreth, Donald M.
Block, Edgar D., Jr.
Deruiter, Kenneth
Donato, Robert C.
Downer, Glenn I.
Ford, Richard P.
Freiberg, Leonard S., Jr.
Harrington, Michael G.
Jarrard, Lamar J.
McLean, Forrest T.
McCormack, Robert S.
McNutt, Lee F.
Norton, Ronald W.
Schreiber, Dennis L.
Tarrantino, David A.
Tarella, Raymond F.
Tastad, Michael L.
Toburen, David L.

CIVIL ENGINEER CORPS

Bohning, Lee R.
Parsons, James F.
Scott, Gary H.

MEDICAL SERVICE CORPS

Barr, Kenneth B.
Cunningham, Kenneth M.
Renfro, Gene F.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 1, 1967:

DISTRICT OF COLUMBIA COUNCIL

John Walter Hechinger, of the District of Columbia, to be Chairman of the District of Columbia Council for the term expiring February 1, 1969.

Walter E. Fauntroy, of the District of Columbia, to be Vice Chairman of the District of Columbia Council for the term expiring February 1, 1969.

The following-named persons to be members of the District of Columbia Council for the terms indicated:

TERMS EXPIRING FEBRUARY 1, 1968

Margaret A. Haywood, of the District of Columbia.

J. C. Turner, of the District of Columbia.

Joseph P. Yeldell, of the District of Columbia.

TERM EXPIRING FEBRUARY 1, 1969

John A. Nevius, of the District of Columbia.

TERMS EXPIRING FEBRUARY 1, 1970

Stanley J. Anderson, of the District of Columbia.

William S. Thompson, of the District of Columbia.

Polly Shackleton, of the District of Columbia.

HOUSE OF REPRESENTATIVES

WEDNESDAY, NOVEMBER 1, 1967

The House met at 12 o'clock noon.

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

As many as are led by the spirit of God, they are the sons of God.—Romans 8: 14.

O Thou who art the source of all our strength and the refuge of those who put their trust in Thee, steady us with Thy spirit lest the disagreements of this day hide Thy presence from us. Within the shadow of our concern stands Thy love waiting to cross the threshold of our need. As we pray may we open our hearts to Thee, may we receive Thy love and thus led step by step be strengthened for the journey of this day.

We pray for those we love, whose faithfulness warms our hearts and brings joy to our spirits. We commend them to Thy loving care which shepherds their days with a wisdom and love greater than our own.

We pray for our country. Cleanse our hearts of all harsh misunderstandings and hostile ill will which are the seeds of strife. Make us quick to welcome every adventure in cooperation and every effort to strengthen our relationships with each other. Open the door of opportunity and give us courage to walk through it to a greater life together under the banner of free men. In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

THE AIR QUALITY ACT

Mr. REINECKE. 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. REINECKE. Mr. Speaker, I would like to call attention of the House today