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Congressional Record

PROCEEDINGS AND DEBATES OF THE 90th CONGRESS, FIRST SESSION

SENATE

TUESDAY, MARCH 7, 1967

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

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

O merciful God, whose law is truth and whose statutes stand forever, we beseech Thee to grant unto us, who in the morning seek Thy face, the benediction which a sense of Thy presence lends to each new day. Unite our hearts and minds to bear the burdens that are laid upon us.

In a difficult and desperate era, be Thou our pillar of cloud by day and of fire by night, as patiently and obediently we follow the kindly light.

May we close our national ranks in a new unity, as deadly peril threatens the birthright of our liberties.

As servants of Thine, and of the Nation, and of the peoples of this shattered earth, save us from false choices and guide our hands and minds to heal and bind and bless.

We ask it in the dear Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., March 7, 1967.

To the Senate:

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

CARL HAYDEN,
President pro tempore.

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

THE JOURNAL

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

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Jones, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a joint resolution (H.J. Res. 273) to amend the Agricultural Adjustment Act of 1938, as amended, with respect to the lease and transfer of tobacco acreage allotments, in which it requested the concurrence of the Senate.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H.J. Res. 273) to amend the Agricultural Adjustment Act of 1938, as amended, with respect to the lease and transfer of tobacco acreage allotments, was read twice by its title and referred to the Committee on Agriculture and Forestry.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

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

SUBCOMMITTEE MEETING DURING THE SESSION OF THE SENATE TODAY

Mr. HRUSKA. Mr. President, I ask unanimous consent that the Subcommittee on Criminal Laws and Procedures, under the chairmanship of the distinguished Senator from Arkansas [Mr. MCCLELLAN], be authorized to meet during the session of the Senate today.

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

EXECUTIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate proceeded to consider executive business.

EXECUTIVE MESSAGE REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Genevieve Blatt, of Pennsylvania, to be an Assistant Director of the Office of Economic Opportunity, which was referred to the Committee on Labor and Public Welfare.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. MONRONEY, from the Committee on Post Office and Civil Service:

Robert E. Hampton, of Maryland, to be a Civil Service Commissioner.

Forty-nine postmaster nominations.

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

FEDERAL COAL MINE SAFETY BOARD OF REVIEW

The legislative clerk read the nomination of Elzie H. Wooten, of Tennessee, to be a member of the Federal Coal Mine Safety Board of Review.

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

OFFICE OF ECONOMIC OPPORTUNITY

The legislative clerk proceeded to read sundry nominations in the Office of Economic Opportunity.

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

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

WILLIAM CROOK, DIRECTOR OF THE VISTA VOLUNTEERS

Mr. YARBOROUGH. Mr. President, I am gratified by the Senate's confirmation today of Mr. William Crook as an Assistant Director of the Office of Economic Opportunity to be in charge of the VISTA program.

Bill Crook has served as regional director of the Office of Economic Opportunity for the Southwest with offices in Austin, Tex., and has done a magnificent job under the difficult circumstances that have surrounded the birth of the war on poverty. His wisdom and integrity have been unquestioned, and his performance has won high praise from all those who share his high purposes and those of the Office of Economic Opportunity. I am sure we shall benefit from the broader services his new position will allow him to make to the Nation.

Bill Crook was the successful president of a private school when he came to Government service. He was successful as an administrator and as an edu-

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cator. His tact, skill, broad compassion for people, make him an ideal administrator of the VISTA program.

NATIONAL LIBRARY OF MEDICINE

The legislative clerk proceeded to read sundry nominations in the National Library of Medicine.

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

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

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

CONSULAR CONVENTION WITH RUSSIA—AMENDMENT

EXECUTIVE AMENDMENT NO. 1

Mr. TALMADGE submitted an amendment, intended to be proposed by him, to Executive D, 88th Congress, second session, Consular Convention Between the United States of America and the Union of Soviet Socialist Republics, together with a protocol relating thereto, signed at Moscow on June 1, 1964, which was ordered to lie on the table and to be printed.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON ORDERLY LIQUIDATION OF STOCKS OF AGRICULTURAL COMMODITIES HELD BY COMMODITY CREDIT CORPORATION

A letter from the Assistant Secretary for International Affairs, Department of Agriculture, transmitting, pursuant to law, a report on orderly liquidation of stocks of agricultural commodities held by the Commodity Credit Corporation and the expansion of markets for surplus agricultural commodities, dated February 1967 (with an accompanying report); to the Committee on Agriculture and Forestry.

REPORT ON ADVISORY COMMITTEES ASSISTING IN CARRYING OUT FUNCTIONS OF SOCIAL SECURITY ACT

A letter from the Acting Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on advisory committees assisting in the carrying out of the functions of the Social Security Act, for the calendar year 1966 (with an accompanying report); to the Committee on Finance.

REPORT OF U.S. INFORMATION AGENCY

A letter from the Director, U.S. Information Agency, Washington, D.C., transmitting, pursuant to law, a report of that Agency, for the 6-month period ended December 31, 1966 (with an accompanying report); to the Committee on Foreign Relations.

REPORT OF U.S. ADVISORY COMMISSION ON INFORMATION

A letter from the Chairman, U.S. Advisory Commission on Information, Washington, D.C., transmitting, pursuant to law, a report of that Commission, dated February, 1966 (with an accompanying report); to the Committee on Foreign Relations.

AUTHORIZATION OF FUNDS FOR FEDERAL COMMITTEE FOR DEVELOPMENT PLANNING IN ALASKA

A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to authorize the appropriation of funds to carry out the activities of Federal Committees for Development Planning in Alaska (with accompanying papers); to the Committee on Interior and Insular Affairs.

MEMORIAL

The ACTING PRESIDENT pro tempore laid before the Senate a memorial signed by Olen Pendergraft, M.D., and sundry other persons of the State of Oklahoma, remonstrating against the ratification of the Consular Treaty with Russia, which was referred to the Committee on Foreign Relations.

CONCURRENT RESOLUTIONS OF ARKANSAS LEGISLATURE

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that there be inserted at this point in the RECORD the text of House Concurrent Resolution No. 45 of the 66th General Assembly of the State of Arkansas and the text of Senate Concurrent Resolution No. 13 of the 66th general assembly. These resolutions express views of the respective houses of the general assembly regarding proposals to restrict the sale and shipment of firearms and regarding the dimension of the Federal-State highway program.

I call these resolutions to the attention of the Senate for consideration in connection with legislation on these subjects, and ask that they be appropriately referred.

The concurrent resolutions were ordered to be printed in the RECORD, and appropriately referred.

The concurrent resolution relating to the sale and shipment of firearms was referred to the Committee on the Judiciary, as follows:

"HOUSE CONCURRENT RESOLUTION NO. 45

"Expressing opposition to the Dodd bill and other restrictive gun legislation

"Whereas, the Constitution of the United States guarantees the people of this country the right to bear arms, and

"Whereas, Arkansas is a sports-minded State, and thousands of citizens of this State possess firearms used for hunting and other recreational purposes, and

"Whereas, the right to possess and bear firearms is essential to the protection of persons and property, and the possession thereof by large numbers of our citizens is a deterrent to crime, and

"Whereas, since the tragic and unfortunate death of President Kennedy there has been a concerted effort in the Congress of the United States to pass restrictive gun legislation, yet testimony of experts has indicated that this legislation would not accomplish any purpose other than to deprive the citizens of their right to possess and bear arms as guaranteed by the Constitution: Now, therefore

"Be it resolved by the House of Representatives of the sixty-sixth General Assembly of the State of Arkansas, the Senate concurring therein:

"That the Congress of the United States is respectfully requested to refrain from the passage of the proposed Dodd bill or similar legislation that would limit the rights of citizens of this country to possess and bear arms, it being the consensus of the General Assembly that adequate legislation now exists on the statue books to protect the public against gun abuses.

"Be it further resolved that upon adoption hereof, a copy of this Resolution shall be furnished the Speaker of the House and President of the Senate of the United States Congress, and to each member of the Arkansas Congressional delegation."

The concurrent resolution relating to the dimension of the Federal-State highway program was referred to the Committee on Public Works, as follows:

"SENATE CONCURRENT RESOLUTION NO. 13

"Urging Congress to restore all Federal-aid highway funds which have been reduced by order of the President

"Whereas, by order of the President of the United States, the amount of federal aid highway funds authorized by the Congress and programmed for distribution to the states for highway purposes have been severely reduced and such reduction in federal highway funds was not contemplated by the states and will result in serious curtailment of progress contemplated for construction this year; and

"Whereas, the State of Arkansas has geared its highway planning to provide for steadily increasing construction under promises, announced policies, budgets, statutes, and urging of federal government, resulting in the employment of a heavy proportion of construction engineers and consultant engineers; and

"Whereas, the private construction industry has increased its employment and capital investments to meet anticipated highway construction programs; and

"Whereas, the federal aid cut-back will create employment difficulties in both state government and private industries, and in addition, many private construction contractors will face serious economic loss of their capital investment if anticipated projected construction projects are not fulfilled; and

"Whereas, the federal aid cut-back of approximately Twelve and one half Million Dollars ($12,500,000), in funds previously anticipated for construction in this State, will mean a reduction of approximately Twenty Million Dollars ($20,000,000) in anticipated highway construction in this State; and

"Whereas, in order to meet the anticipated requirements of federal aid matching obligations, the Arkansas General Assembly met in Special Session in the Spring of 1965 and enacted a comprehensive highway user tax program designed to make available adequate funds to meet the state's obligations under the projected federal aid highway program; and

"Whereas, the people of this State assumed this additional tax burden in order to carry out an adequate highway program and to match contemplated federal funds, and

"Whereas, the federal aid cut-back will severely curtail this State's efforts to achieve an adequate highway transportation system and to fulfill its obligations to complete the portion of the Interstate Highway System located in this State: Now, therefore

"Be it resolved by the Senate of the sixty-sixth General Assembly of the State of Arkansas, the House of Representatives concurring therein:

"That the Congress of the United States is respectfully requested, at the earliest possible date, to devise and approve legislation

which will restore all federal aid highway funds to the level of projected authorization of expenditures in effect and contemplated in November, 1966, prior to the cutback thereof as ordered by the President of the United States.

"We further resolve that upon adoption hereof a copy of this Resolution shall be furnished the Director of the United States Bureau of Public Roads, the President of the Senate and the Speaker of the House of Representatives of the United States Congress, and to each member of the Arkansas Congressional Delegation."

RESOLUTION OF HOUSE OF REPRESENTATIVES, STATE OF NEW MEXICO

Mr. MONTOYA. Mr. President, the 28th Legislature, first session, of the State of New Mexico is presently meeting in Santa Fe. The State house of representatives has adopted a memorial entitled "A House Memorial to the Congress of the United States Declaring Support for and Urging Early Enactment of Legislation To Transfer Title to the Navajo Tribe in Trust of Certain Lands in Northwestern New Mexico."

Mr. President, I ask unanimous consent that the resolution be printed in full at this point in the RECORD and that it be referred to the Senate Committee on Interior and Insular Affairs.

There being no objection, the resolution was referred to the Committee on Interior and Insular Affairs, as follows:

A HOUSE MEMORIAL TO THE CONGRESS OF THE UNITED STATES DECLARING SUPPORT FOR AND URGING EARLY ENACTMENT OF LEGISLATION TO TRANSFER TITLE TO THE NAVAJO TRIBE IN TRUST OF CERTAIN LANDS IN NORTHWESTERN NEW MEXICO

Whereas, some twenty-four thousand Navajo people, citizens of the state of New Mexico as well as members of the Navajo Tribe, living in what is known as the "off-reservation" area in McKinley and San Juan counties and the westernmost parts of Rio Arriba, Sandoval and Valencia counties in northwestern New Mexico, are faced with a steadily worsening economic situation because of an inadequate land base and the intermingling of their lands with federal lands on which they have exclusive grazing privileges but which they do not own, and the peculiar title status of the federal lands which prevents the development of multiple use potentials on the federal lands and the adjoining Navajo owned lands; and

Whereas, this peculiar land title and land use arrangement in this area keeps the entire Navajo population in a chronically depressed condition economically, which in turn creates a drag on the economy of the entire area; and

Whereas, the Navajo Tribe, through the use of its own funds, has made maximum efforts to acquire additional lands for this part of its population and has expended two million one hunderd ninety-one thousand twenty-one dollars twenty-nine cets ($2,191,-021.29) over the past two years, but the Tribe's declining income is bringing this land acquisition program to a close while the need for additional lands is still great; and

Whereas, transfer of title in trust to the Navajo Tribe of the following lands: railroad relinquished and reconveyed lands, two hundred thirty-seven thousand one hundred thirty-one, two-hundredths arces; agricultural resettlement lands, seventy thousand, two hundred sixty-seven, twenty-four hundreths acres; United States Government (bureau of Indian affairs) reserves, five thousand, four hundred fifty-two eighty-seven hundredths acres, would permit the Tribe, with the assistance of the bureau of Indian affairs, to include this whole "off-reservation" area in significant ways in the Tribe's overall economic development programs, opening the entire area up to recreation and tourist developments, town developments which will encourage industry to come in to provide jobs, and such developments will increase the purchasing power of this large and steadily growing Navajo population and will thus provide a major stimulus to the economy of the total area, Navajo and non-Navajo alike; and

Whereas, bills are being introduced in the ninetieth session of the United States congress to transfer title to these lands to the Navajo Tribe in trust and such legislation will require no federal appropriation since these lands are now owned by the federal government, and transferring title to these lands to the Navajo Tribe in trust will permit the bureau of Indian affairs to participate in the overall development of the entire area with federal funds which would far exceed revenues which could be realized through taxes on these lands if title were transferred in fee:

Now, therefore, be it resolved by the House of Representatives of the State of New Mexico that its strong support of federal legislation to transfer title of these lands to the Navajo Tribe in trust is hereby declared, and that it urges early enactment of this legislation; and

Be it further resolved that copies of this memorial be transmitted to the secretary of the interior, to the New Mexico delegation to the Congress of the United States and to the director, bureau of land management, federal building, Santa Fe, New Mexico.

Signed and sealed at the capitol, in the city of Santa Fe.

BRUCE KING,
Speaker of the House.
ALBERT ROMERO,
Chief Clerk of the House.
[SEAL] ERNESTINE D. EVANS,
Secretary of State.

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. KUCHEL:

S. 1193. A bill to amend section 612 of title 18, United States Code, relating to the publication or distribution of political statements, in order to require more complete identification of persons responsible for publishing political statements, and for other purposes; to the Committee on the Judiciary.

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

By Mr. ERVIN (for himself, Mr. JORDAN of North Carolina, Mr. THURMOND, Mr. FANNIN, Mr. HICKENLOOPER, Mr. TALMADGE, Mr. HOLLINGS, Mr. BYRD of Virginia, Mr. BENNETT, Mr. HANSEN, Mr. LONG of Louisiana, Mr. EASTLAND, Mr. MCCLELLAN, Mr. STENNIS, Mr. BYRD of West Virginia, Mr. HILL, Mr. HAYDEN, Mr. ELLENDER, and Mr. DODD):

S. 1194. A bill to define the jurisdiction of the Supreme Court and the inferior courts ordained and established by the Congress under article III of the Constitution of the United States in criminal prosecutions involving admissions or confessions of the accused; to the Committee on the Judiciary.

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

By Mr. LONG of Missouri:

S. 1195. A bill to establish the Office of Administrative Ombudsman to investigate administrative practices and procedures of selected agencies of the United States; to the Committee on the Judiciary.

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

By Mr. FULBRIGHT:

S. 1196. A bill for the relief of Katherine Robbins; to the Committee on the Judiciary.

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

By Mr. HOLLAND:

S. 1197. A bill for the relief of Dr. Lucio Arsenio Travieso y Perez; to the Committee on the Judiciary.

By Mr. JAVITS:

S. 1198. A bill to assist in the provision of housing for low income families by providing Federal guarantees for certain obligations issued by local housing agencies; to the Committee on Banking and Currency.

S. 1199. A bill to amend the Internal Revenue Code of 1954 to provide tax incentives for the rehabilitation of rental housing for low-income families; to the Committee on Finance.

S. 1200. A bill to amend section 115 of the Housing Act of 1949 relating to rehabilitation grants for individuals and families, and to authorize financial assistance for the rehabilitation of substandard residential properties, acquired by localities as the result of code enforcement activities or otherwise, in order to assist in the provision of decent, safe, and sanitary housing for low- or moderate-income persons; and

S. 1201. A bill to authorize the Secretary of Housing and Urban Development to make grants to States and localities donating property, or according tax benefits, to private organizations engaged in the provision of housing for low-income families; to the Committee on Banking and Currency.

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

By Mr. INOUYE:

S. 1202. A bill for the relief of certain individuals employed by the Federal Aviation Agency at Wake Island; to the Committee on the Judiciary.

By Mr. NELSON:

S. 1203. A bill for the relief of Dr. Timoteo L. Galvez; to the Committee on the Judiciary.

By Mr. INOUYE (for himself, Mr. ALLOTT, Mr. METCALF, and Mr. MOSS):

S. 1204. A bill to further amend the Federal Civil Defense Act of 1950, as amended, to provide that Federal buildings shall be designed and constructed to maximize fallout protection and that non-Federal construction financed in whole or in part with Federal funds may be designated to maximize fallout protection; to the Committee on Armed Services.

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

By Mr. MONDALE (for himself and Mr. MCCARTHY):

S. 1205. A bill to amend the Agricultural Act of 1949, as amended, to authorize the Secretary of Agriculture to make payments in advance of determination of performance to producers participating in the wheat program; to the Committee on Agriculture and Forestry.

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

By Mr. SCOTT:

S. 1206. A bill for the relief of Lt. Col. Samuel J. Cole, U.S. Army (retired); to the Committee on the Judiciary.

By Mr. EASTLAND:

S. 1207. A bill to authorize an additional 41,000 miles for the National System of Interstate and Defense Highways; to the Committee on Public Works.

(See the remarks of Mr. EASTLAND when he

introduced the above bill, which appear under a separate heading.)

By Mr. CURTIS (for himself and Mr. HRUSKA):

S. 1208. A bill to amend the Uniform Time Act of 1966 so as to reduce from 6 to 4 months the period for which daylight saving time shall be in effect; to the Committee on Commerce.

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

By Mr. HOLLINGS (for himself, Mr. ERVIN, and Mr. JORDAN of North Carolina):

S. 1209. A bill to exempt certain schoolbus drivers from the application of the Fair Labor Standards Act of 1938; to the Committee on Labor and Public Welfare.

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

By Mr. BREWSTER:

S. 1210. A bill for the relief of Dr. Bambran Aravind Adyanthaya;

S. 1211. A bill for the relief of Sister Fara (Guiseppina Perrone); and

S. 1212. A bill for the relief of John L. Dean; to the Committee on the Judiciary.

S. 1213. A bill to provide for a study with respect to establishing an expanded volunteer national service system; to the Committee on Labor and Public Welfare.

S. 1214. A bill to provide an equitable system for fixing and adjusting the rates of pay of wage board employees; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. BREWSTER when he introduced the last two above-mentioned bills, which appear under separate headings.)

By Mr. BAYH:

S. 1215. A bill authorizing modification of the existing projects for the Illinois Waterway, Illinois and Indiana, and Indiana Harbor and Canal, Indiana; to the Committee on Public Works.

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

By Mr. JAVITS:

S.J. Res. 49. Joint resolution to designate April 28–29, 1967, as "Rush-Bagot Agreement Days"; to the Committee on the Judiciary.

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

STRONGER LAWS AGAINST FRAUD IN FEDERAL ELECTIONS

Mr. KUCHEL. Mr. President, the true value of an American's right to vote is his freedom to exercise it according to his individual conscience without pressure, intimidation, duplicity, or deceit. When votes are mistakenly cast by reason of false or fraudulent propangada, they threaten not only the existence of that right but also representative government itself. Willful deception in any form must not be allowed to influence and to mislead the American voter.

During the primary campaigns in California last year, a contemptible effort at such deception was attempted. The vehicle for this fraud was a crafty duplication of the official ballot.

In my State, the local registrar of voters is obligated by law to send to registered voters an official ballot for each party listing its candidates in the primary. This ballot does not have any crossmarks indicating for whom the registrant should vote, but serves as a guide to the voter in freely determining his own decision on election day. The conspirators involved in this fraud made an underhanded attempt to duplicate these official ballots, and further, placed crossmarks by the candidates they supported. In this manner, they sought to induce the recipient to vote in a certain fashion by tricking him into the false belief that that was what the "official" political party organization had decided. Thousands of these privately printed, fraudulent ballots were directed to California voters. Postcards accompanying the ballots stated, "take your marked sample ballots to the polls," and were falsely designated as having been sent from "Democratic headquarters."

A number of attempts were made to restrain the distribution of the spurious sample ballots, but these efforts came too late. In many instances, voters never received the official sample ballots but only the fraudulent ones. The consequence was that a number of voters felt compelled by the apparently official ballot to vote according to the crossmarks. One woman, who had received such a ballot and had served on numerous precinct boards, stated:

> If it fooled me, even with my service on a precinct board, I wonder how many people are being fooled who don't have my experience in this field?

How many other voters were fooled? The very thought that votes were induced by such fraud and deceit raises serious implications for our free election process. No political candidates should be allowed to undermine the sanctity of the ballot box by employing deception or by seeking to mislead the people. The voter has a right to know what is, in fact, campaign advertising and what is not.

Many States, including California, have enacted laws which seek to strike at these attempts to mislead the voting public. The Federal Government also has sought to protect the purity of Federal elections. The Corrupt Practices Act, the Hatch Act, and many other similar laws have been enacted by Congress under its assigned constitutional powers in this area. But enacting a law and enforcing it may well be two different matters.

Section 612 of title 18 under the United States Code relates to the publication or distribution of political statements. It provides that any such statement should contain the names of the persons, associations, committees, or corporations responsible for the publication and the names of the officers of each such association, committee, or corporation. But section 612 fails to state where the names should appear, how they should appear, and what officers should be named.

To require a person's name to appear on such a publication and yet allow him the liberty of hiding it in small print in an inconspicuous part of the publication is, in effect, no requirement at all. Section 612 also fails to require the publication to state that it is in fact a political advertisement and further, does not specifically relate to the fraudulent ballot situation I have just described. The consequence is a law of good intentions but little effect.

The bill I introduce would amend section 612 to require the name of the responsible person or group, the name of the group's principal officer and their addresses to appear in the form of a notice to voters. It further relates this requirement specifically to the use of facsimile ballots.

Mr. President, I hope that the members of the Senate Committee on the Judiciary will give this legislation their urgent attention. It is our responsibility as the duly elected representatives of the voters to protect their right and their freedom to vote as they wish. Properly to fulfill that responsibility, we have the power to enact effective laws preventing the undermining or the corruption of our basic rights.

I believe my proposal will provide the added protection Federal laws require if the sanctity of the ballot box is to be preserved and the national interest protected.

Mr. President, I sent my bill to the desk. I ask that it be appropriately referred. I ask unanimous consent that the text of the bill be printed in full at this point in the RECORD.

The PRESIDING OFFICER (Mr. CANNON in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1193) to amend section 612 of title 18, United States Code, relating to the publication or distribution of political statements, in order to require more complete identification of persons responsible for publishing political statements, and for other purposes, introduced by Mr. KUCHEL, 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. 1493

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 612 of title 18 of the United States Code is amended to read as follows:

"§ 612. Publication or distribution of political advertisements and facsimiles of ballots

"(a) It shall be unlawful for any person willfully to publish or distribute or cause to be published or distributed, or for the purpose of publishing or distributing the same, knowingly to deposit for mailing or delivery or cause to be deposited for mailing or delivery, or, except in cases of employees of the Post Office Department in the official discharge of their duties, knowingly to transport or cause to be transported in interstate commerce any card, pamphlet, circular, poster, dodger, advertisement, writing, or other statement relating to or concerning any person who has publicly declared his intention to seek the office of President or Vice President of the United States, or Senator or Representative in, or Resident Commissioner to, Congress, in a primary, general, or special election, or convention of a political party, or has caused or permitted his intention to do so to be publicly declared, which does not contain the names of the person or persons, associations, committees, or corporations responsible for the publication or distribution of the same, the names of the principal officer or officers of each such association, committee, or corporation, and the addresses of the responsible person or persons, principal officer or officers, or principal office of such associations, committees, or corporations. The requirement of this subsection shall appear on each surface, page, or fold of the

material, or on the front and back surface thereof, in type or lettering at least half as large as the type or lettering of the name of such candidate or in ten-point roman type, whichever is larger, in a printed or drawn box and set apart from any other printed matter, in the following manner:

NOTICE TO VOTERS
(Required by law)
This is a paid political advertisement.

(Name of person, association, corporation, and so forth)
of ---
(Address)
is responsible for the publication and distribution of this material.
Principal officer: ---
Address: ---

"(b) It shall be unlawful for any person willfully to publish or distribute or cause to be published or distributed, or for the purpose of publishing and distributing the same; knowingly to deposit for mailing or delivery or cause to be deposited for mailing and delivery, or, except in cases of employees of the Post Office Department in the official discharge of their duties, knowingly to transport or cause to be transported in interstate commerce any facsimile or representation of any portion of a ballot, or of any portion of the voting panel of a voting machine, to be used in any primary, general, or special election involving the office of President, Vice President, Senator, or Representative in, or Resident Commissioner to, Congress which does not contain, in addition to the information required by subsection (a), in type or lettering at least half as large as the type or lettering of the name of such candidate or in ten-point roman type, whichever is larger, the following statement: 'This is not an official sample ballot'. This subsection shall not apply with respect to a sample ballot published or distributed pursuant to the requirements of the law of any State.

"(c) Whoever violates any provision of subsection (a) or (b) shall be fined not more than $1,000 or imprisoned not more than one year, or both."

(b) The table of sections at the beginning of chapter 29 of such title is amended by striking out

"612. Publication or distribution of political statements."

and inserting in lieu thereof

"612. Publication or distribution of political advertisements and facsimiles of ballots."

THE ADMISSION OF VOLUNTARY CONFESSIONS OF GUILT IN CRIMINAL TRIALS

Mr. ERVIN. Mr. President, on behalf of myself and Mr. JORDAN of North Carolina, Mr. THURMOND, Mr. FANNIN, Mr. HICKENLOOPER, Mr. TALMADGE, Mr. HOLLINGS, Mr. BYRD of Virginia, Mr. BENNETT, Mr. HANSEN, Mr. LONG of Louisiana, Mr. EASTLAND, Mr. MCCLELLAN, Mr. STENNIS, Mr. BYRD of West Virginia, Mr. HILL, Mr. HAYDEN, Mr. ELLENDER, and Mr. DODD, I introduce for appropriate reference a bill which would have the effect of reestablishing the very sensible and sound rule that the voluntary confession of an accused in a criminal case shall be admissible in evidence against him on his trial.

Some days ago I introduced a constitutional amendment, Senate Joint Resolution 22, to rectify the recent Supreme Court decisions in the Escobedo and Miranda cases. These two decisions stretch the words of the fifth and sixth amendments far beyond their true meaning and virtually make it impossible to secure the conviction of self-confessed criminals in cases where the prosecution has to rely upon their voluntary confessions of guilt. Since introducing the constitutional amendment, I have come to the conclusion that Congress has a more direct route by which it can afford protection to the law-abiding citizens against the consequences of these two decisions.

It is to be remembered that these two decisions, Miranda and Escobedo, were decisions in which four of the nine Justices filed vigorous dissents. Justice Harlan appraised the majority decision in the Miranda case aright when he declared in his dissenting opinion that—

> The decision of the court represents poor constitutional law and entails harmful consequences for the country at large.

It is provided in article III, section 2, of the Constitution that the Supreme Court "shall have appellate jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make."

It seems clear that under article III of the Constitution, Congress has the constitutional power to define the appellate jurisdiction of the Supreme Court and to define the jurisdiction of all inferior courts created by it under this article of the Constitution.

For this reason, I have decided to take a direct approach rather than to rely solely upon the constitutional amendment route. My bill would curtail the jurisdiction of the Federal court in cases involving the admission of voluntary confessions, and I can see no other practical way by which we can afford protection to the law-abiding citizens against the present tendency of five of the nine Justices to render decisions which free self-confessed criminals from the consequences of their acts.

I think my bill protects the rights of the accused as far as they ought to be protected. Under section 1, involving confessions in the Federal court, the accused has at least 2 days in court, one in the Federal district court and the other in either the U.S. court of appeals or the Supreme Court. Of course, this section puts a necessary limit on the power of the court of appeals or the Supreme Court to review the case by stating that they cannot review the ruling admitting a confession if the trial court finds it to have been voluntarily made. Surely, the trial judge who sees the witnesses and can observe their demeanor upon the stand has a far better opportunity to reach a correct decision than the ivory-towered judges who read a cold printed record.

The second section of my bill allows the accused at least 2 days in court, one in the trial court and the other in the highest appellate court of the State having jurisdiction to review the case. It provides, in effect, that the decision of the highest court of the State affirming the ruling of the State trial court admitting a confession as voluntary cannot be reviewed by either the Supreme Court or any other Federal court. This will put an end to the endless number of habeas corpus writs by Federal district courts in cases where the Supreme Court of the State has affirmed the ruling of the State trial court admitting confessions in evidence in criminal cases.

The reasons which prompted my introduction of this bill, the rising crime rate and the unrealistic rules which the Supreme Court has placed on our police, are the same as those which prompted my introduction of Senate Joint Resolution 22 dealing with the Miranda case. When I introduced this amendment I made several statements which detailed my objections to the Miranda case and gave my reason for the urgent need to rectify this decision. These statements are found on pages 1173–1174 of the CONGRESSIONAL RECORD for January 23, 1967.

Already the effects of the Miranda case are being felt around the country. Reports from many district attorneys from all over our Nation indicate that the percentage of criminal suspects who now refuse to make confessions or statements is greater than before the Miranda case.

Recently, in New York a man who admitted killing his wife and five children was set free because the New York court could not use his confession because of the Miranda decision. I should like to associate myself with New York District Attorney Aaron A. Koota's comments on this case. He said:

> The United States Supreme Court has weighted the scales of justice heavily in favor of the criminal suspect. I am not a prophet, but the handwriting on the wall indicates a trend on the part of the court to outlaw all confessions made to police. If and when that melancholy day comes, the death knell of effective criminal law enforcement will have been sounded.

In conclusion, Mr. President, I should like to repeat my final remarks when I introduced Senate Joint Resolution 22: I urgently appeal to you to join me in supporting this bill. Our thousands of dedicated and honorable law enforcement officers deserve this vote of confidence; and the people of America, sick and tired of criminals going unpunished and crime increasing, demand it.

I ask unanimous consent that a copy of my proposed bill and a news story from the New York Times of February 21, 1967, be printed at this point in the RECORD.

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

The bill (S. 1194) to define the jurisdiction of the Supreme Court and the inferior courts ordained and established by the Congress under article III of the Constitution of the United States in criminal prosecutions involving admissions or confessions of the accused, introduced by Mr. ERVIN (for himself and other Senators), 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. 1194

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

SEC. 1. That the sole test of the admissibility of an admission or confession of an accused in a criminal prosecution in any trial court ordained and established by the Congress under article III of the Constitution of the United States shall be its voluntary character and neither the Supreme Court nor any inferior appellate court ordained and established by the Congress under article III of the Constitution of the United States shall have jurisdiction to reverse, vacate, modify, or disturb in any way a ruling of such a trial court in any criminal prosecution admitting in evidence as voluntarily made any admission or confession of an accused if such ruling is supported by any competent evidence admitted at the trial.

SEC. 2. Neither the Supreme Court nor any inferior court ordained and established by the Congress under article III of the Constitution of the United States shall have jurisdiction to review or to reverse, vacate, modify, or disturb in any way, a ruling of any trial court of any State in any criminal prosecution admitting in evidence as voluntarily made any admission or confession of an accused if such ruling has been affirmed or otherwise upheld by the highest court of the State having appellate jurisdiction of the cause.

The article presented by Mr. ERVIN is as follows:

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

CONFESSED SLAYER OF WIFE AND FIVE CHILDREN FREED—JUDGE IN BROOKLYN CONFORMS RELUCTANTLY WITH HIGH COURT PROTECTION OF DEFENDANTS

(By F. David Anderson)

A man who admitted slaying his wife and five small children walked out of a Brooklyn courtroom yesterday, free, because the only available evidence against him was his own confession.

The defendant, Jose Suarez, 22 years, a factory worker, was arrested on April 27, 1966. Questioned by the police, he signed a statement, acknowledging having killed his own common-law wife, Maria Torres, 24; their children, Yvette, 4; Nancy, 3; and Jose, 11 months, and also Harry Santiago, 5, and Maria Antonio, 2.

Suarez said in the confession that after his wife had cut his leg with a knife during an argument, he seized the weapon and stabbed her and the children more than 100 times. That was on April 23 in their home at 301 Hooper Street.

THREE KEY RIGHTS AT ISSUE

On June 13 the United States Supreme Court ruled in the landmark Miranda case that a defendant in custody must be informed of his rights. These include the right to remain silent if he wishes to, the right to consult a lawyer and the right to a warning that anything he says may be used against him at trial.

Suarez was advised on none of these points, since New York State law at the time did not require it. However, the Miranda decision applied to him, inasmuch as it was made retroactive to cover all defendants who had not yet been tried,

Last month, three men were freed in murder trials here by State Supreme Court justices after rulings that they had not been informed of their right to counsel before they confessed.

On Jan. 20 Charles Wright of 554 West 150th Street won dismissal of homicide charges, but he was sentenced to 30 to 40 years in prison on a plea of guilty to first-degree rape.

Ten days later, Marvin Fitzgerald of 620 Lexington Avenue and Billy Bunche, no known address, were released in a similar case. Bunche was freed, but Fitzgerald was held on a charge of violating probation.

SEVEN-MONTH SEARCH IN VAIN

For seven months the office of District Attorney Aaron A. Koota and the police sought, without success, to obtain evidence other than the confession against Suarez. A grand jury finally indicted him on Nov. 4. One week later, with a lawyer, Suarez retracted the confession and pleaded not guilty.

"I daresay that if his questioning had conformed with the requirements of Miranda, this defendant would be in Sing Sing prison serving several life sentences," Assistant District Attorney Nathan R. Schor told the court, yesterday. "I am now constrained to ask for dismissal of the indictment."

Suarez stood at the defense table, his head bowed. At no time did he speak or even look up. Frank Ortiz, his lawyer, was beside him.

State Supreme Court Justice Michael Kern then spoke.

"Unfortunately the general public doesn't understand the law. Even an animal such as this one, and I believe this is insulting the animal kingdom, must be protected with all the legal safeguards.

"This is a very sad thing. It is so repulsive it makes one's blood run cold and any decent human being's stomach turn to let a thing like this out on the street."

Leaning forward, Justice Kern addressed the prosecutor. "Are you sure, I ask you most seriously, whether his [confession] is all you have in this case?"

Mr. Schor replied: "I say reluctantly, with a heavy heart, that we simply have no alternative. There is no other evidence."

Suarez was led away in handcuffs for routine processing before his release. An hour later he was a free man.

Mr. Ortiz spoke briefly outside the court. "He's absolutely not going to stay here," he said of his client. "Someone might kill him. His father is coming from Puerto Rico to take him home. This is terrible, I agree, but what can you do under the circumstances?"

Last night Mr. Koota issued the following statement:

"The United States Supreme Court has weighted the scales of justice heavily in favor of the criminal suspect. I am not a prophet, but the handwriting on the wall indicates a trend on the part of the court to outlaw all confessions made to police. If and when that melancholy day comes, the death knell of effective criminal law enforcement will have been sounded."

ADMINISTRATIVE OMBUDSMAN

Mr. LONG of Missouri. Mr. President, just 1 year ago today, the Senate Subcommittee on Administrative Practice and Procedure, of which I am chairman, heard the Honorable Alfred Bexelius, the Swedish ombudsman, explain the meaning and operation of the ombudsman's office. When the subcommittee first began looking at this concept, the term "ombudsman" was, indeed, a strange one. Today, ombudsman is becoming a common word. Basically, as my colleagues well know, ombudsman literally means "one who represents." But the office and institution of ombudsman means much more. It has been described by many as a combination redtape cutter, complaint bureau, and citizen's defender against bureaucracy.

The interest is nationwide. At the municipal level, several cities are considering ways to adapt the ombudsman to their municipal government. Senators HART, of Michigan, and KENNEDY of New York have joined me in cosponsoring legislation for a District of Columbia ombudsman. At the State level, bills to create ombudsmen have been introduced in more than a dozen States. In my own State of Missouri, there is a proposal before the State legislature to create a ombudsman for Missourians.

At the Federal level, my Subcommittee on Administrative Practice and Procedure has held the first public congressional hearings on the concept of ombudsman, and in the House, Congressman HENRY REUSS has recently introduced his bill, H.R. 3388, to create a congressional form of ombudsman.

Mr. President, the Subcommittee on Administrative Practice and Procedure is vitally concerned with the way in which Federal agencies deal with American citizens. Our efforts have been directed toward helping secure every citizen's right to efficient and just government. Our investigations have ranged from administrative due process to invasions of privacy.

As many of my colleagues know, the subcommittee has uncovered countless cases of invasions of privacy by such organizations as the Food and Drug Administration, Internal Revenue Service, the Post Office Department, and others. We have discovered instances of lack of administrative due process in such agencies as the Federal Trade Commission and the Immigration and Naturalization Service. We have worked for enactment of a revised Administrative Procedure Act because of the problems of agency delay. This session, Senator DIRKSEN, of Illinois, and I are cosponsoring S. 518, a bill to amend the Administrative Procedure Act to modernize and make more efficient certain agency practices and procedures. We have been conducting hearings on this urgently needed bill yesterday and today.

We are constantly looking for new and fresh approaches to the problems which are inherent in administrative agencies. One new and fresh approach is the ombudsman. Accordingly, I am today introducing a bill which would create in the Federal Government the Office of Administrative Ombudsman.

The administrative ombudsman would be appointed by the President and would have jurisdiction to investigate the administrative acts—including actions, omissions, decisions, recommendations, practices, and procedures—of the following agencies: Internal Revenue Service, Social Security Administration, Veterans' Administration, and the Bureau of Prisons. It is our opinion that the great bulk of citizens' complaints arise in connection with the above-mentioned agencies. This, of course, does not mean that other agencies are faultless. Nor, I hasten to add, does it mean that we are trying to "pick on" these four agencies. On the contrary, if the experience of Scandinavian and New Zealand ombudsmen have any relevance, we will probably find that a great majority of complaints, although submitted in good faith, are unfounded. As I pointed out in my opening remarks at our hearings on ombudsman last year:

Let me say at the outset that these hearings are not being held because we are unhappy with our system of government, or generally with our government employees. On the contrary, it is my belief that we have

a very workable system. And our Federal civil servants are, with some exceptions, a most dedicated and effective group. It is for this very reason that I am interested in the concept of Ombudsman. As we will no doubt hear this morning, the great majority of complaints which the Ombudsman receives are unfounded. Thus, the Ombudsman not only finds faults and corrects wrongs, he also absolves civil servants and government agencies from wrongful charges and unfair accusations of fault. The net result is to create respect for their government.

After the ombudsman has investigated a complaint, he may report back to the complainant, and call the matter to the attention of the erring agency official, the appropriate committees of the House and Senate and to the head of the Administrative Conference. Although the President has not yet found a suitable Chairman to head up this Administrative Conference of the United States, it is our hope that the post will be filled shortly.

Thus, the ombudsman will have broad investigatory powers but limited enforcement powers. In effect, he will be an arm of the Congress, similar to the General Accounting Office which primarily handles fiscal matters, and similar to the other ombudsmen of the world who are responsible to their parliaments.

Congress must now consider the question of whether we can have an ombudsman to handle all or many of the problems and complaints aimed at the Federal Government. In answer, I would like to quote from Professor Gellhorn's new book, "When Americans Complain":

What Have We to Lose? The wrecks of earnest reforms lie all about us. They remind that accomplishment may not soar as high as hope . . . But even though a grievance bureau, no matter how well qualified, could not blow away the citizenry's irritations, it would support a thoroughly reasonable expectation of improvement. Finding out whether that expectation accords with reality would cost very little money. It would necessitate virtually no organizational restructuring. The external critic is one of those promising experiments that can be tried without committing its proponents so deeply they can never afterward bear to admit failure. Of course, the experiment would be unlikely to succeed without top-notch personnel, some understanding supporters (journalists among them), and a public service that, if not altogether friendly, is at least not actively antagonistic. Those are not forbidding conditions.

Mr. President, I introduce this bill today, not so much with the idea that our Administrative Ombudsman will be a panacea for the ills of Government, but with the hope that it will begin to stimulate discussion of this very worthwhile concept at all levels of Government.

Mr. President, I ask unanimous consent to insert, at this point in the RECORD, a very interesting chart which appeared in the February 17 issue of News Focus, a publication of Newsweek, directed to high school students. This chart, and the accompanying explanation, explains in very simple terms how our Administrative Ombudsman might function.

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

[Chart from News Focus, Feb. 17, 1967]

HOW AN OMBUDSMAN MIGHT FUNCTION

Citizens direct complaints *about:*
Social Security;
Internal Revenue Service;
Veterans' Administration; and,
Bureau of Prisons.

To the ombudsman, an independent official with jurisdiction *over:*
Failure to act;
A fault or error;
Arbitrary use of power;
Injustice resulting from application of an inflexible law; and,
Failure to communicate adequately with complainant.

The ombudsman sends a letter of inquiry to the agency.

If the agency's answer is unsatisfactory, *he can:*
Examine agency's files;
Conduct hearings; and,
Call in agency's representatives to testify.

If complaint proves justified, he can recommend appropriate action. If unjustified, he can explain the agency's action to the complaining citizen.

[From News Focus, Feb. 17, 1967]

GOVERNMENT: AN OMBUDSMAN FOR EVERY MAN

"You can't fight City Hall" is one of the most venerable of American aphorisms. In an age when Big Government is growing inexorably bigger, the saying has perhaps never been more pertinent; the more complicated a government becomes, the more helpless its citizens seem to feel. As far back as 1809, Sweden tried to deal with the problem by creating a champion for the civic underdog, called "ombudsman" or "representative." This official's function is to grapple with other officials on behalf of the wronged—or merely confused—citizen. Sweden's current ombudsman, 63-year-old Alfred Bexelius, is a former judge who, like his 30 predecessors, was chosen by Parliament and owes no allegiance to the executive branch of government. He has virtually unlimited access to official records, permitting full review of administrative actions. If a citizen's complaint is justified, Bexelius usually can obtain redress informally, but he also has the authority to prosecute errant bureaucrats. The Ombudsman idea has spread to several other nations, and lately it has been imported to this country. Michigan and New York's Nassau County already have put the concept to work, but their ombudsmen have less power than the Swedish model, and furthermore are appointed by the very adminstration with which they are supposed to joust. In Washington, congressmen have been discussing three different proposals to establish ombudsmen on the national level. But proponents believe that an ombudsman would work better within the more intimate confines of local or state government, and ombudsman offices have been proposed in California, New York City and elsewhere. Critics of bureaucracy would do well to note, however, than an ombudsman can defend "City Hall" as well as the taxpayer. And in Sweden, the ombudsman's reports show that, more often than not, City Hall has the right on its side.

Mr. LONG of Missouri. Mr. President, I today introduce, for appropriate reference, a bill to create an Administrative Ombudsman of the United States. Also, I ask that the text of the bill be printed at this point in the RECORD.

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

The bill (S. 1195) to establish the Office of Administrative Ombudsman to investigate administrative practices and procedures of selected agencies of the United States, introduced by Mr. LONG of Missouri, 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. 1195

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subchapter III of chapter 5 of title 5 of the United States Code is amended by renumbering section 576 as section 577, and inserting a new section 576 entitled "Administrative Ombudsman."

SEC. 2. As used in this Act, the term—

(a) "Ombudsman" means the Administrative Ombudsman duly appointed and serving under the provisions of this Act.

(b) "Office" means the Office of the Administrative Ombudsman established by this Act.

(c) "Agency" shall include the Social Security Administration, Veterans Administration, Internal Revenue Service and the Bureau of Prisons, and any officer, employee, or member thereof acting or purporting to act in the exercise of his official duties.

(d) "Administrative act" includes any action, omission, decision, recommendation, practice or procedure.

SEC. 3. (a) There is hereby created an establishment of the Government to be known as the Administrative Ombudsman, which shall be independent of the Executive Department and under the direction and control of the Administrative Conference. There shall be in the Office an Ombudsman and a Deputy Administrative Ombudsman who shall be appointed by the Ombudsman and shall perform such duties as may be assigned to him by the Ombudsman. During the absence or incapacity of the Ombudsman, or at any time at which there is no Ombudsman, the Deputy shall act as Ombudsman.

(b) The Ombudsman shall be appointed by the President, by and with the advice and consent of the Senate, for a term of five years. In no case shall any person hold the office for more than four full terms. The Ombudsman shall receive compensation in an amount equal to that of the Chief Judge of the District of Columbia Court of Appeals. The annual rate of basic compensation of the Deputy Ombudsman shall be $22,500.

(c) The Ombudsman and the Deputy Ombudsman appointed under this Act shall be chosen, without regard to political affiliation, from individuals specially qualified to perform the duties of the Office. Each individual so appointed shall be an individual who:

(1) has been admitted to the practice of law before the highest court of any State, possession, territory, Commonwealth, or the District of Columbia, and is a member of the bar of that court in good standing;

(2) is of good moral character, and possesses a good reputation for professional legal competence, personal integrity, diligence in the performance of duty, and freedom from personal bias or prejudice;

(3) has not, within the five-year period immediately preceding his appointment, served as a Member of Congress or as an appointed officer of any agency as defined in this Act;

(4) is a citizen of the United States.

(d) No person may serve as Ombudsman or Deputy Ombudsman while a candidate for or holder of any elected office, whether municipal, State, or Federal, or while engaged in any other business, vocation, or employment.

(e) The Congress of the United States, by two-thirds vote in each House, may remove the Ombudsman from Office, when in the

judgment of the Congress, he has become permanently incapacitated, or has been guilty of any felony, misconduct, or any other conduct involving moral turpitude, and for no other cause and in no other manner except by impeachment.

(f) Subject to the civil service laws and the Classification Act of 1949, the Ombudsman may appoint and fix the compensation of such personnel as may be required for the performance of the duties of the office. The Ombudsman shall promulgate such rules and regulations as may be necessary to carry out the duties imposed upon him by this Act, and he may delegate authority for the performance of any such duty, except those specified in section 6 of this Act, to any officer or employee of the office. Such regulations shall include procedures for receiving and processing complaints, conducting investigations, and reporting his findings.

(g) The Ombudsman is authorized to charge a nominal fee for the investigation of complaints, and to waive any such fee when, in his opinion, a financial hardship may result to the complainant.

SEC. 4. (a) The Ombudsman shall have jurisdiction to investigate the administrative acts, practices, or procedures, of any agency as defined in section 2(c). Where necessary, the Ombudsman may exercise his powers under this Act without regard to the finality of any administrative act.

(b) Upon his own motion or upon any oral or written complaint of any person, the Ombudsman shall conduct or cause to be conducted, in such manner as he shall determine to be appropriate, a full and complete investigation of any matter which is an appropriate subject for investigation under section 5 of this Act, unless, in his opinion—

(1) there is presently available an adequate remedy for the grievance stated in the complaint, whether or not complainant has availed himself of it;

(2) the complaint relates to a matter that is outside the jurisdiction of the Ombudsman;

(3) complainant does not have a sufficient personal interest in the subject matter of the complaint;

(4) complainant has had knowledge of the action complained of for too long a period before the complaint was submitted; or

(5) the complaint is trivial, frivolous, vexatious, or not made in good faith.

(c) If, with respect to any complaint the Ombudsman decides not to investigate, he shall inform the complainant of that decision and his reasons therefor; except that he shall not be required to divulge matters which would invade the privacy of any individual, or interfere with legitimate governmental activities. In the event he decides to investigate, he shall notify the complainant and the agency concerned in writing of that fact. The Ombudsman shall not be prohibited from making on-the-spot investigations of agency proceedings and activities, subject to proper notice to an appropriate official.

SEC. 5. (a) For purposes of this Act, an appropriate subject for investigation by the Ombudsman is an administrative act, practice or procedure, of any agency which might be—

(1) contrary to law or regulations;

(2) unreasonable, unfair, or oppressive;

(3) based wholly or partly on a mistake of law or fact;

(4) based on improper or irrelevant grounds;

(5) unaccompanied by an adequate statement of reasons;

(6) performed in an inefficient manner; or

(7) otherwise erroneous.

(b) In carrying out his duties under this Act, the Ombudsman may investigate to find an appropriate remedy, or to make routine checks of the operations of any agency or agencies covered under this Act. The Ombudsman may undertake, participate in, or cooperate with general studies or inquiries, whether or not related to any particular administrative agency or any particular administrative act, if he believes that they may enhance knowledge about or lead to improvements in the functioning of administrative agencies.

(c) In any investigation under this Act, the Ombudsman may (1) make inquiries and obtain any and all information from the agency or agencies as he deems necessary; (2) enter to inspect the premises of an agency; and (3) hold private hearings with both the complaining individual and agency officials.

(d) Subject to the privileges which witnesses have in the courts of the United States, the Ombudsman may (1) compel, at a specified time and place, by subpena, the appearance and sworn testimony of any person whom the Ombudsman has reasonable cause to believe may be able to give information relating to a mater under investigation; and (2) compel any person to produce documents, papers, or objects which the Ombudsman has reasonable cause to believe may relate to a mater under investigation. The Ombudsman is authorized to bring an action in a district court in which the complainant resides, or has his principal place of business, or in which the agency is situated, in order to enforce the aforementioned powers.

SEC. 6. (a) Prior to rendering any opinion or making any recommendation that is critical of any agency or person, the Ombudsman shall consult with that agency or person. The Ombudsman shall allow that agency or person a reasonable period of time to take the necessary or appropriate action indicated, or to file a statement of explanation with the Ombudsman.

(b) If, after any investigation conducted by him under this Act, the Ombudsman finds that (1) a matter should be further considered by the agency; (2) an administrative act should be modified, amended, or cancelled; (3) a statute or regulation on which an administrative act is based should be amended or repealed; (4) reasons should be given for an administrative act; or (5) and other action should be taken by the agency, he shall submit his views and recommendations to the agency. The Ombudsman may request the agency to notify him within a specified time, of any action taken by the agency on his recommendations. Any agency so requested shall be required to comply with such request.

(c) Within sixty days following the submission of his views and recommendations to any agency under subsection (b) of this section, the Ombudsman shall transmit copies thereof, together with copies of the agency's reply, to the head of the concerned agency, to the Chairman of the Administrative Conference of the United States and to the appropriate Committees of the Senate and of the House of Representatives. The Ombudsman is further authorized to take such action as he may determine feasible to make such information available to the general public.

(d) The Ombudsman shall notify the complainant in writing of any action taken by him and by the agency with respect to his complaint.

SEC. 7. (a) If, in carrying out his duties under this Act, the Ombudsman determines that any employee or officer of any agency has been guilty of a breach of duty or misconduct in connection with his duties as an employee or officer of such agency, the Ombudsman shall refer the matter to the appropriate authorities in the Department of Justice.

(b) The Ombudsman shall, on or before March 1 of each calendar year, submit to the President, to the Congress, and to the head of the Administrative Conference a written report concerning his activities under this Act during the preceding calendar year.

SEC. 8. (a) No proceeding, decision, or report of the Ombudsman conducted or made in accordance with the provisions of this Act shall be challenged, reviewed, quashed, or called into question in any court. No action, civil or criminal, shall lie against the Ombudsman or against any person holding any office or appointment under the Ombudsman, for anything the Ombudsman or such persons may do, report, say in the course of the exercise, or intended exercise of their functions under this Act, unless it is shown that they acted in bad faith. The Ombudsman shall not be called to give evidence in any court, in any proceeding of a judicial investigation of his functions.

(b) Any letter addressed to the Ombudsman and written by any person in custody on a charge of, or after conviction of, any offense under the laws of the United States, or by any inmate of any institution under the control of the Bureau of Prisons, shall be immediately forwarded, unopened, to the Ombudsman by the institution where the writer of the letter is detained or of which he is an inmate.

(c) The provisions of this Act shall be in addition to the provisions of any other law or regulation under which any remedy or right of appeal is provided for any person, or any procedure is provided for the inquiry into or investigation of any matter, and nothing in this Act shall limit or affect any such remedy, right of appeal, or procedure. The powers conferred on the Ombudsman by this Act may be exercised by him notwithstanding any other provision of law to the effect that any administrative action or omission shall be final or that no appeal shall lie in respect thereof.

SEC. 9. Any person who willfully obstructs or hinders the Ombudsman in the proper exercise of his powers under this act, refuses or willfully fails to comply with any lawful requirement of the Ombudsman under this Act, or willfully makes any false statement or misleads or attempts to mislead the Ombudsman in the exercise of his powers under this Act, shall be fined not more than $1,000.

SEC. 10. There are hereby authorized to be appropriated such sums as may be necessary, not in excess of $100,000, to carry out the provisions of this Act.

KATHERINE ROBBINS

Mr. FULBRIGHT. Mr. President, I introduce, for appropriate reference, a bill for the relief of Katherine Robbins of Conway, Ark.

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

The bill (S. 1196) for the relief of Katherine Robbins, introduced by Mr. FULBRIGHT, was received, read twice by its title, and referred to the Committee on the Judiciary.

ANTISLUM HOUSING PROGRAM

Mr. JAVITS. Mr. President, I send to the desk, for appropriate reference, a series of bills designed to expedite housing rehabilitation in urban slums by drawing on the combined resources of Federal, State, and local government and private enterprise.

I wish to emphasize that this is a comprehensive network of measures designed to deal with the basic housing emergency in the slums and ghettos of the United States, as a result of very extended study and preparation, including the poverty hearings, hearings on problems of the cities by the appropriate subcommittee

of the Government Operations Committee, and other work which my staff and I have been doing over the years.

The measures which I am introducing would provide:

First. A Federal guarantee of bonds issued by local housing authorities for the purpose of making low-cost, long-term loans for rehabilitation of low-income housing;

Second. A rapid writeoff for depreciation under the Federal tax laws of the cost of rehabilitating housing occupied by low-income families;

Third. Federal advances of up to two-thirds of the cost of rehabilitation of substandard properties acquired by local authorities as the result of code enforcement activities if they are to be used for later sale or rental to low-income families. The Federal Government would then be repaid as the local authorities receive rental income or sell the rehabilitated property;

Fourth. Federal grants of up to 50 percent of net tax abatement granted by any local government to assist in providing low-income housing under the provisions of the plan.

Mr. President, I ask unanimous consent that I may have 5 additional minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. JAVITS. Mr. President, along with many others, I have become increasingly distressed at the critical proportions of the inadequacy of decent, safe, and sanitary low-income housing in our urban areas, and at the prospects of improving this situation under present programs.

I believe that if we are to make truly appreciable progress in eliminating the urban slum, we are going to have to start with the structures that are already there; we are going to have to make maximum use of rehabilitation, and we are going to have to give incentives to the owners of these buildings themselves to make the first effort. We must also provide local housing authorities and city governments with financial and taxing techniques to greatly increase their efforts in rehabilitation.

Accordingly, I hope that the series of urban rehabilitation and tax incentive proposals I introduce today will act as a catalyst for the essential concerted action by Federal, State, and local governments and private enterprise to expedite the job of rebuilding the central cities and give this enormous task a greater chance of success.

The plain facts are that all the Federal and State programs now in existence to provide low- and middle-income housing have not been able to make an appreciable dent in the hard-core problem of the urban ghetto. These programs should continue, of course. What I am proposing now is that we use modern financial and taxing techniques to enlist the entire community in this fight, which should be the concern of the entire community.

The census of housing in 1960 indicated that in urban areas 4.3 million units were considered substandard—or 10.5 percent of the entire inventory. In New York City, for example, local estimates are that in 1965 there were still 43,000 old law tenements built prior to 1901, containing approximately 950,000 persons. About as many persons live in this substandard housing as live in the entire city of Baltimore. More than 11,000 aging one- and two-family homes used now for multifamily purposes are considered to be in an advanced state of deterioration by the New York City Building Department.

The proposals introduced today, taken together, place what I believe to be the proper shared responsibility on the Federal Government, the localities, and the private sector; it is clear to me that a proper mix of all three is needed to do the job. For example, with regard to the bond guarantee program, the Federal Government adds its prestige and financial support to the local public agency which administers the program best suited to the community, and the private sector gets the job done to the eventual benefit of the many low income persons throughout the country who are denied the very essentials of decent housing.

There is strong precedent for the concept of shared responsibility throughout existing housing legislation, particularly the congressional declaration of national housing policy in the Housing Act of 1949, which states:

> The policy to be followed in attaining the national housing objective shall be: (1) private enterprise shall be encouraged to serve as large a part of the total need as it can; (2) governmental assistance shall be utilized where feasible to enable private enterprise to serve more of the total need; (3) appropriate local public bodies shall be encouraged and assisted to undertake positive programs of encouraging and assisting the development of well-planned, integrated residential neighborhoods, the development and redevelopment of communities, and the production, at lower costs, of housing of sound standards of design, construction, livability, and size for adequate family life.

It is just this balance of responsibility which I hope to foster in this and other proposals which I will later introduce.

The bills seek to strengthen the hand of local government. The use of local governmental agencies in the bond plan has the merit of working within the confines of existing and newly created State authorities rather than bypassing them through exclusively Federal programs, and the guarantee approach will stimulate the sale of local bonds. The guarantee plan will strengthen local housing agencies where they already exist and act as an incentive for their creation where they are not now in existence.

The fast depreciation writeoff will contribute to the making of a more livable city and undoubtedly add to property valuations. In the event that the city finds itself in the position of owning property as the result of code enforcement, the Federal Government will lend up to two-thirds of the cost of rehabilitation of substandard residential property for use by low-income families. Thus, cities will be encouraged to implement strong code enforcement programs. The cities also will be more likely to grant certain tax abatement on low-income housing, knowing that the Federal Government will bear half the burden.

This set of proposals places the responsibilities clearly on the line for all concerned. If the Federal Government keeps its promise through bond guarantee, tax incentive, and the advance programs, then the responsibility will be on those at the local level—both the municipality and the private citizen—to do the job of remodeling many parts of our cities into places where all people will take pride in living.

I believe that the series of proposals—coupled with improved technological advances in speeding up the rehabilitation process—can make the greatest contribution toward the improvement of many of our slums and ghettos.

THE FEDERAL GUARANTEE PROPOSAL

Under this bill, loans by local agencies would be authorized from the proceeds of federally guaranteed bond sales in varying amounts—100 percent for nonprofit borrowers, 90 percent for limited dividend borrowers, and 80 percent for all others—of the development cost of a project with up to 50-year maturity and at an interest rate based on the cost to the agency of floating the bond in the private market plus not more than one-half of 1 percent. The latter would be returned to the Federal Government for the establishment of a guarantee fund.

The local housing bonds which the Federal Government will guarantee are already tax exempt, so we avoid the usual Treasury Department opposition where Federal tax abatement is sought. The bill also provides that the occupants of the proposed housing developments have the opportunity to acquire—either individually or as members of a group—their dwelling units. It is my desire to encourage such home ownership for low-income persons. In addition, borrowers will be asked to adopt all practicable methods, including utilizing the services and labor of eligible occupants, to reduce the cost of dwellings sold or rented to these occupants.

The proposal is similar to the successful pattern of the New York State Mitchel-Lama program established in 1956 and the pioneering program of the New York State Housing Finance Agency, which has sold $334,530,000 in long-term obligations on the open market to permit financing of privately owned housing at rentals low enough to make modern housing available to a great part of the population that previously could not afford new housing.

The Federal guarantee would be expected to provide an incentive to the sale of housing bonds at an even lower interest rate then, for example, the New York State Housing Agency issues its bonds, and thereby would provide a basis for lower rentals and sales. The New York State Housing Finance Agency program is presently financed by issuance of revenue bonds which are not guaranteed by the State, nor are its obligations part of the debt of the State. It is anticipated that a Federal guarantee of these revenue bonds would lower the interest rate by three-tenths to five-tenths of a point, which is a considerable savings on bond issues, which may

run as high as a billion dollars. An even lower interest rate would be likely in localities whose bonds have been considered to carry a higher risk, and thus, in order to sell, require payment of higher interest. Moreover, the Federal guarantee would be of assistance to those States whose credit has been burdened with efforts to finance the heavy costs of urbanization.

The New York State commissioner of housing and community renewal, James Gaynor, testified in 1965 before the Housing Subcommittee of the Banking and Currency Committee that the availability of such Federal guarantees would enable the State to broaden the scope of its housing program by lowering even further present favorable interest rates. At a time when private lenders do not have sufficient funds to loan—as happened during last year's tight money crisis—the local housing agency can take up the slack.

ACCELERATED DEPRECIATION FOR REHABILITATORS

The rehabilitators will be allowed a rapid writeoff of their costs for rehabilitation. My proposal would allow a 5-year depreciation writeoff of the cost, with a special bonus of 20 percent in the first year. This bonus is similar to that permitted under present law for tangible personal property.

I believe that this tax treatment deals realistically with the problem of dilapidated housing. If we want the job done, we must give some incentive to the owners. It should be pointed out that this tax incentive is actually a revenue creating proposition. At present, neither the Federal Government nor the local governments are getting a great deal of tax revenue from these buildings. However, the tax incentive would spur rehabilitation and thus could increase not only the value of the property but also the capacity of the property to bring in income through rentals. The immediate revenue loss to the Government may very well be recouped in part by increased taxable income of groups, such as contractors, who will be doing work that would not otherwise be done. Of course, the Federal Government is merely deferring the tax liability of the rehabilitator in that when he later sells the property he will be selling and paying tax on a more valuable property.

The rehabilitator who receives the tax deductions is limited in his use of the rehabilitated property by the following:

First, the property must be used for the housing of low-income families for at least the 5-year period; second, no tax deduction would be allowed for any repair of any portion of the property which has been cited by a locality as failing to meet local code standards; third, the Secretary of Housing and Urban Development, for a period not in excess of 60 months, shall receive satisfactory assurances that rents, charges, capital structure, rate of return, and methods of operation provide reasonable return on the investment to the owner This rental limitation is similar to the method used by FHA in its rental programs; that is, housing for elderly, relocation housing.

To insure the immediate impact of this program, it is suggested that it be limited to 3 years to induce owners to do the job now.

ADVANCES TO CITIES FOR REHABILITATION OF CITY-OWNED PROPERTIES

Increasingly, cities are finding themselves in possession of slum properties acquired through various means of code enforcement, condemnation, in rem proceedings, et cetera. In many instances the city does not have the available capital to make use of these properties and they simply sit idle. Hundreds of such structures exist in New York City. We must, however, make use of all available property, and therefore, I propose that the Federal Government advance to the city up to two-thirds of the cost of rehabilitating city-owned substandard, residential properties. When the city receives income—either through rental or sale of the property—my proposal requires the amount of the advance to be repaid by the city to the Federal Government. I think this will act as an incentive to arouse the cities to make use of many vacant buildings in need of rehabilitation. The rehabilitated properties will be available only to families of low or moderate income and every reasonable opportunity will be given to the tenants to purchase their dwelling units. It is my hope that this proposal will encourage local code enforcement, and I have expressly provided that no city shall be eligible for this assistance unless they have a satisfactory code enforcement program. I propose that the Federal Government create a revolving loan fund with a $50 million authorization to begin this program. It may be increased as the effects of the program are demonstrated.

This proposal also will change the existing limitations on rehabilitation grants. Under existing law, an individual who receives such a grant cannot earn more than $3,000, no matter where he lives, and his repairs cannot exceed $1,500. These figures are unrealistic in today's economy. I propose to place a more equitable limitation on income eligibility and to increase the funds available per person to $3,000 or actual cost—whichever is lower. The upper limit on income eligibility would be that applicable to persons eligible for public housing in the particular community. This will take into consideration the varying purchasing power of incomes in different locales.

GRANTS FOR TAX ABATEMENT

In order to assist the often overburdened localities to give certain tax abatement for low-income housing, I propose that the Federal Government make matching grants to States and local public agencies for up to 50 percent of State and local tax abatement. Such tax abatement would permit substantial reductions for rental rates in such housing. I have recommended this program be initiated with a $15 million authorization. It was estimated that in New York City, for example, where real estate taxes on a $12,500 unit amount to approximately $400, a Federal matching grant under this proposal would result in a reduction of $41.50 per month on the rent of a single unit.

The Senator from Illinois [Mr. PERCY] has presented an interesting, long-range plan for dealing with problems of the slums. The plan I am proposing can be done now, and builds on what we have, which has been a broken down program which must be rehabilitated. It marries private enterprise and Government programs. The Government-guaranteed funds would be utilized by private enterprise for rehabilitation at a very modest cost, which will result in the most rehabilitation for the least money. I hope these bills, which have been very carefully thought out, will have the urgent consideration of the Congress at an early time.

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

The bills, introduced by Mr. JAVITS, where received, read twice by their titles, and referred, as indicated:

S. 1198. A bill to assist in the provision of housing for low-income families by providing Federal guarantees for certain obligations issued by local housing agencies; to the Committee on Banking and Currency.

S. 1199. A bill to amend the Internal Revenue Code of 1954 to provide tax incentives for the rehabilitation of rental housing for low-income families; to the Committee on Finance.

S. 1200. A bill to amend section 115 of the Housing Act of 1949 relating to rehabilitation grants for individuals and families, and to authorize financial assistance for the rehabilitation of substandard residential properties, acquired by localities as the result of code enforcement activities or otherwise, in order to assist in the provision of decent, safe, and sanitary housing for low- or moderate-income persons; and

S. 1201. A bill to authorize the Secretary of Housing and Urban Development to make grants to States and localities donating property, or according tax benefits, to private organizations engaged in the provision of housing for low-income families; to the Committee on Banking and Currency.

AMENDMENT OF FEDERAL CIVIL DEFENSE ACT OF 1950, RELATING TO FALLOUT PROTECTION

Mr. INOUYE. Mr. President, on behalf of myself, and Senators ALLOTT, METCALF, and Moss, I introduce, for appropriate reference, a bill to further amend the Federal Civil Defense Act of 1950, as amended, to provide that Federal buildings shall be designed and constructed to maximize fallout protection and that non-Federal construction financed in whole or in part with Federal funds may be designated to maximize fallout protection.

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

The bill (S. 1204) to further amend the Federal Civil Defense Act of 1950, as amended, to provide that Federal buildings shall be designed and constructed to maximize fallout protection and that non-Federal construction financed in whole or part with Federal funds may be designated to maximize fallout protection; introduced by Mr. INOUYE (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Armed Services.

Mr. INOUYE. Mr. President, in the second session of the 89th Congress, both

the Senate and House approved the Military Construction Authorization Act of 1966, now Public Law 89–188.

That act contains a significant but little-noticed section 608 which requires that all construction under the act, with certain exceptions, shall utilize "slanting" techniques developed jointly by our colleges and universities, the American Institute of Architects, and the Office of Civil Defense. "Slanting" techniques are a method of design which will increase the degree and amount of protection from nuclear fallout at little or no additional cost.

Today, I am introducing a bill amending the Civil Defense Act of 1950, as amended, which prudently and logically extends the policies we have already accepted in section 608 of the Military Construction Authorization Act of 1966 to other Federal construction. Recipients of Federal aid for construction projects may, if they wish, also avail themselves of the provisions of this bill.

The proposals contained in this bill are in accord with the President's policy and with Bureau of the Budget Circular A–11.

The bill provides that all new construction of any structure owned or occupied by any department or agency of the United States shall be designed to maximize fallout protection where it can be done without impairing the purpose or effectiveness of the structure. There is a limitation in the bill on expenditures for this purpose of not to exceed 1 percent of total construction cost.

The bill's second section contains a similar but optional provision which allows any recipient of Federal financial assistance to determine whether he will incorporate such safeguards in construction for which Federal aid has been granted.

My studies have indicated that already a great many schools and commercial buildings have been designed and constructed using the so-called slanting techniques to increase the quantity and dual purpose of shelter available without cost or at costs of substantially less than 1 percent. In the case of hospitals or smaller structures such as one-story schools, expenditures may be somewhat higher.

This bill will aid in providing dual-purpose shelter in many areas where it is greatly needed. For example, in schools it may offer protection for pupils, staff, and nearby residents. In many of the smaller cities and towns, particularly in the South and West, adequate shelter space in the heart of the town is in very short supply. These deficiencies would be lessened if we required all new Federal construction in these areas to be designed for the maximum shelter.

This bill also would provide the necessary Federal leadership and example to encourage State and local governments and private builders to include maximum shelter in their construction.

Over the past few months we have become greatly concerned by reports of Soviet anti-ballistic-missile systems and in the matter of our response. I do not seek to propose an answer to that problem. But we cannot close our eyes to it nor to the fact that today five nations—the United States, Great Britain, Russia, Communist China, and France—have nuclear capability, and 11 other nations have the potential to become nuclear powers if they chose to make the effort.

Mr. President, I am not an alarmist; I hope that nuclear war will never come. A wise man, however, does not wait until it rains to repair his roof. Neither should a wise government put off action to protect its people until the emergency is already upon it.

The Secretary of Defense and the Chairman of the Joint Chiefs are in agreement that a fallout shelter program will save more lives at less cost than any other program the United States can buy. This bill, if enacted into law, will be a step in that direction at the least possible cost.

Let us, therefore, follow the advice of King Solomon, when he said:

> A prudent man sees danger and hides himself; the simple go on, and suffer for it. (Proverbs 22: 3.)

AMENDMENT OF AGRICULTURAL ACT OF 1949, RELATING TO THE WHEAT PROGRAM

Mr. MONDALE. Mr. President, I introduce for myself and my colleague from Minnesota [Mr. McCARTHY], legislation to provide clear and express authority for the Secretary of Agriculture to advance up to 50 percent of wheat certificate payments at the time the farmer signs up in the wheat program.

This authority merely places the wheat program on a par with the feed-grains program, under which similar authority has been exercised for the last several years.

Advance payments under the voluntary feed-grains program are intended to permit farmers to buy the seed, fertilizer, or farm equipment necessary for planting the desired crop. The wheat farmer must also incur substantial costs for seed and fertilizer and other expenses of planting, and should also have the benefit of advance payments when he signs up to cooperate with the program.

Many farmers must have bank loans or credit advanced to them for these expenses if they do not have the advance payments. In today's high-interest, tight-money situation, it is essential that wheat farmers be given a portion of the program payments in advance to help meet their production needs.

For example, the Farmers Union states that in 1965, when interest rates were lower, Minnesota farmers reported they paid more on interest payments than they did for feed and seed, or for fuel. Farmers throughout the United States pay over $2½ billion in interest alone on their farm loans annually.

Mr. President, I ask that this bill be received and appropriately referred.

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

The bill (S. 1205) to amend the Agricultural Act of 1949, as amended, to authorize the Secretary of Agriculture to make payments in advance of determination of performance to producers participating in the wheat program, introduced by Mr. MONDALE (for himself and Mr. McCARTHY), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

AUTHORIZATION OF AN ADDITIONAL 41,000 MILES FOR THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS

Mr. EASTLAND. Mr. President, the highways of this country are directly connected with the deaths and injuries of thousands of Americans each year. The preventable slaughter which takes place each day on our roadways is tragic and we must take immediate steps to halt it.

In the last session of Congress we placed a number of safety requirements on the manufacture of automobiles. This move will undoubtedly result in the savings of lives, but it is not the complete answer to making highway travel safe.

Let me say that I feel the American driver is probably the finest and most skilled operator of a motor vehicle in the world. Our citizens are raised with the automobile and its operation as a way of life. The years of experience the average American driver logs is further proof of this skill. Our automobiles are certainly the envy of the rest of the world and with the safety standards set for them they are undoubtedly the safest vehicles being built today.

Mr. President, it only stands to reason that if our drivers are skillful and our automobiles safe then some other factor must be contributing to the great loss of life and personal property we continue to experience. The highways of this country are not suited, with some exceptions, to the modern automobile and the demands of increased traffic.

The Federal Interstate System presently under construction, and I might add, sadly behind schedule, does not provide for the rapidly increasing highway needs of the Nation. The new Interstate System, even though incomplete, has already presented us with dramatic results regarding highway safety. Statistics from portions of the completed Interstate Highway System reveal that the accident rates have been drastically reduced from the rate experienced on the same route before rebuilding. The decline in fatal accidents in some areas has been as high as 40 percent. If such dramatic decreases in highway deaths result from modern dual-lane high-speed highways, then we must give a top priority to the additional construction of more such roads.

Mr. President, we cannot continue to ignore the price we are paying in human lives and property loss.

The National Safety Council recently released some figures on highway deaths, injuries, and property losses which are very somber. On February 10 at a meeting in Chicago the Safety Council reported:

> With the number of vehicles, drivers, and miles traveled all reaching record highs, traffic accidents in the United States in 1966 killed 52,500 persons, the National Safety Council reported today. The Council estimated the cost of the accidents at $9.8 billion.

The death rate of 5.6 fatalities for every 100 million miles of travel equaled that for 1964 and was up slightly from the 5.5 registered during 1965. The lowest figure on record is 5.2 deaths per 100 million vehicle-miles, in 1961. A decade ago, for 1956, the rate was 6.3.

The death toll of 52,500 was a 7-percent increase from the previous record of 49,000 in 1965. Deaths for December 1966 alone came to 4,780, down 3 percent from the 4,950 who were killed in December 1965.

December's travel figure of about 80.5 billion miles brought the year's total to 935 billion miles, the most ever. This was a 47-billion-mile increase, or 5 percent, over 1965. Increases during 1965, 1964, and 1963 had been 41, 42 and 38 billion miles respectively.

In addition to the deaths, the Council estimated there were 1.9 million disabling injuries from traffic accidents. Of the total $9.8-billion economic loss, $3.3 billion came from damaged and destroyed property, the remainder from wage losses, medical expenses, and overhead cost of insurance.

Mr. President, it is our duty to do everything in our power to reduce this dreadful toll.

I believe the day is coming when we must undertake the task of dual-laning every mile of this Nation's primary highway system. This must ultimately be done if we are to meet the demands of our growing population and its dependence on safe highways.

I recognize that for the moment this is perhaps too ambitious while our Nation is locked in a life and death struggle against communism in Vietnam. But, those who die on our highways are as much a loss to the Nation as those who perish on the battlefields. We must begin to stop the slaughter on our roads and I believe the most important step we can take at this time is to build additional miles of interstate highways.

Mr. President, I am today introducing a bill to provide for the doubling of our present interstate highway mileage. This bill would provide for the construction of 41,000 miles of modern highways and further it would provide the funds to begin this construction immediately.

The present Interstate System is lagging behind schedule partly because inflation has seriously eroded the trust fund established to finance the system. In addition, many of the States have had difficulty providing the matching funds required under the present program.

The bill I am placing before the Senate provides for the financing of this additional interstate mileage through Federal bonds. These bonds would mature over a 50-year period and if the present inflationary trend continues, the interest rate will be paid by inflation and the bonds will be interest free for all practical purposes.

Mr. President, this bill also provides that the income from these bonds be tax exempt much as State and municipal bonds are at present. This should create a ready market for the bonds and provide the funds needed for rapid highway construction. We have learned much about the construction of modern highways from the problems met and solved in the construction of the present Interstate System. This knowledge should allow us to lower construction cost on the new highways. We will be capitalizing on our past mistakes and we will be receiving new and safe highways at a bargain.

In addition, I would like to point out that the new interstate highway mileage which this bill proposes would serve to link small- and medium-sized cities together and to provide access to markets for rural agriculture and decentralized industries. Too many of our rapidly growing small cities have been completely ignored by the present Interstate System and while it provides vital links between major cities, it leaves vast areas isolated and their population stranded. These areas and the people who are living in them deserve the safety provided by our most modern highways. It is indeed sad to consider that a family killed while traveling over outdated and hazardous highways might have been saved if they had been able to route their travel over modern and more safe roads.

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

The bill (S. 1207) to authorize an additional 41,000 miles for the National System of Interstate and Defense Highways, introduced by Mr. EASTLAND, was received, read twice by its title, and referred to the Committee on Public Works.

EXEMPTION OF CERTAIN SCHOOLBUS DRIVERS FROM APPLICATION OF FAIR LABOR STANDARDS ACT OF 1938

Mr. HOLLINGS. Mr. President, today I am sending to the desk a bill to further amend the Fair Labor Standards Act in order to correct what I believe was an oversight on the part of this Congress and the Department of Labor.

In September of last year, Congress amended the act. When they did 3,500 student schoolbus drivers in South Carolina and many more in 15 other States were forced out of work and deprived, in many instances, of the wherewithal to continue their education.

Additionally, my State, along with several others, saw another heavy strain placed upon already limited budgets.

South Carolina has recently joined North Carolina and Maryland in testing the constitutionality of the entire act as it applies to State and local governments, but the problems of schoolbus drivers is an urgent one and one that deserves to be considered separately and on its own merits.

The Fair Labor Standards Act, as amended, provides a minimum age of 18 years for any occupation which the Secretary of Labor "shall find and by order declare" to be particularly hazardous for 16- and 17-year-old persons or detrimental to their health or well-being, Department of Labor Order No. 2—motor vehicle occupations—was issued some 27 years ago—1940—and under the definitions of this order driving a schoolbus is a hazardous occupation.

This is simply not true, and the statistics prove it.

In South Carolina our student busdrivers have driven 400 million miles over the last 14 years without one single death of either a student passenger or student driver.

South Carolina's student drivers have driven the equivalent of 16,000 trips around the world without the loss of a single life. I submit that in view of these facts, the student riding with a student busdriver is safer than he would be riding in the family car.

Additionally, I have here the results of a study which I should like included in the RECORD with my remarks, prepared by the University of North Carolina Highway Safety Research Center at the request of Governor Moore. This study states that North Carolina's student drivers have a comparable safety record.

On the basis of this evidence, I see no reason why the operation of a schoolbus "for a public elementary or secondary school" should be designated a hazardous occupation and the bill which I intend to introduce will correct this.

Secondly, we are concerned with the application of the minimum hourly wage insofar as it applies to student schoolbus drivers. Our officials in the department of education at the State level do not feel they could obtain the necessary qualified adult drivers who would have comparable skills and could match the safety records of our present student drivers at any price, but certainly not at anything approaching the minimum wage.

Any increase in the pay of South Carolina schoolbus drivers would by necessity come out of the educational budget—a budget already stretched to the breaking point in an effort to provide every dime possible for the advancement of education in our State.

South Carolina, in terms of per capita income is a poor State—ranking 48th—and yet in terms of educational effort by the State, we rank near the top—devoting nearly 60 percent of our State budget to the educational effort.

In the past 8 to 10 years, we have undertaken an ambitious and comprehensive program to upgrade our educational system at all levels, including the institution of technical training to supplement our existing system.

We have constructed new school buildings, cafeterias, and libraries, and have raised teachers' salaries at a record rate. This has produced a steady drain on the limited financial resources of our State and the implementation of these new amendments places us in the difficult position of seeing this drain become even more critical or complying by sacrificing educational progress.

This is a sacrifice that South Carolinians do not feel is necessary. I have received numerous resolutions, petitions, and individual letters from Governor McNair, of South Carolina, various State departments, education associations, citizens groups and private individuals, including the student busdrivers, asking that our present system be retained, and I ask unanimous consent that a sample of each of these be included in the RECORD as part of my remarks.

All of this points to one inescapable conclusion, there is no need for a change in our present system. There is quite obviously no problem of safety involved. The many petitions and resolutions show

there is no demand for a reform from the public and the student drivers themselves are certainly not in favor of the change. Nor is anyone being unfairly treated.

Our student drivers are currently being paid $35 per month with an additional safety bonus of 2 months' pay. The budget and control board recently recommended a pay increase of $10 per month which coupled with the safety bonus would provide $495 per school year.

This would be at least equal to and probably in excess of the minimum hourly rate, but under this system does not involve the additional administrative expense of keeping exact records of hours worked and retains the highly desirable feature of the safety incentive.

Mr. President, these facts as I have presented them lead me to believe that the inclusion of these schoolbus drivers was the result of an oversight on the part of Congress and the Department of Labor.

Secretary Wirtz has in effect recognized this by suspending the "hazardous occupation" provision of the act until the end of the school year. This bill seeks to make this suspension permanent.

I ask that this bill be printed in the RECORD as part of my remarks and appropriately referred.

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

The bill (S. 1209) to exempt certain schoolbus drivers from the application of the Fair Labor Standards Act of 1938, introduced by Mr. HOLLINGS (for himself and other Senators) was received, read twice by its title, and referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 1209

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 3 (l) of the Fair Labor Standards Act of 1938 is amended by inserting before the period at the end of the first sentence thereof a comma and the following: "or by virtue of the employment of any student by a State or political subdivision thereof as a busdriver for a public elementary or secondary school".

(b) Section 13 (a) of such Act is amended by substituting a semicolon and the word "or" for the period at the end of paragraph (14) thereof and by adding immediately after such paragraph the following new paragraph:

"(15) any employee employed as a busdriver for a public elementary or secondary school by a State or a political subdivision thereof.".

The correspondence presented by Mr. HOLLINGS is as follows:

STATE OF NORTH CAROLINA,
GOVERNOR'S OFFICE,
Raleigh, January 23, 1967.

Hon. WILLARD W. WIRTZ,
Secretary of Labor,
U.S. Department of Labor,
Washington, D.C.

DEAR MR. SECRETARY: I herewith transmit to you a document entitled "Pupil Transportation in North Carolina Public Schools", which has been prepared at my request by Dr. Charles F. Carroll, State Superintendent of Public Instruction, and which contains statements from the Honorable A. Pilston Godwin, Jr., Commissioner of Motor Vehicles and the Honorable B. J. Campbell, Director of the North Carolina Highway Safety Research Center, University of North Carolina, Chapel Hill.

This document reflects the origin and scope of the pupil transportation system in North Carolina from 1917 through 1967. The selection, training, employment and supervision of student drivers is described and other pertinent safety factors are discussed. The safety records of the student drivers in North Carolina are set forth.

I want to take this occasion to emphasize the pride which we in North Carolina feel in the safety record of our student drivers. They are active participants in our statewide safety program and by their training and experience, make a significant contribution to the great strides which North Carolina is making in all phases of highway safety. I am aware that you will thoroughly examine the role which student drivers occupy and I am hopeful that you will conclude that the student drivers between the ages of 16 and 18 should be exempted permanently from the order which prohibits their continued participation in this fine program.

Please be assured that I stand ready to provide you with such information as may be helpful to you in the final determination of this matter.

With best wishes and warmest regards, I am,

Sincerely,

DAN MOORE.

PUPIL TRANSPORTATION IN NORTH CAROLINA PUBLIC SCHOOLS

I. ORIGIN OF THE STUDENT DRIVER PROGRAM IN NORTH CAROLINA

The student school bus driver program originated with the beginning of motor vehicle transportation in North Carolina in 1917. Thus the program has been tried and tested for 50 years. Through the years millions of students have been transported to and from school in buses driven by student drivers. In 1933 the North Carolina General Assembly recognized the advantages and safety of student drivers and *officially* authorized the employment of high school students as drivers. High school students have willingly assumed this responsibility and are recognized as having a praiseworthy record both within the State and the Nation.

II. SCOPE OF PUPIL TRANSPORTATION SYSTEM, 1966–67

In the current school year, 1966–67, approximately 9,200 school buses will be driven 62,000,000 miles to transport an average of approximately 600,000 elementary and high school students—51% of the State's public school enrollment—to and from school daily. At the beginning of the year approximately 93% of the drivers employed are 16- and 17-year-old students. At the close of the school year approximately 65% of the drivers are in this age category, the others having attained their 18th birthday.

III. SELECTION OF STUDENT DRIVERS

North Carolina's student drivers are carefully selected. Before any prospective student driver is considered for school bus service, he (she) must have taken and successfully passed the course in "Driver Education" provided by each secondary school in the State. Considerable care is exercised by local school officials in screening and selecting students to train for the driving of a school bus. Even though a student is selected to take the training it does not necessarily mean he will be employed to drive a bus. Local school officials have full authority to discharge any incompetent driver.

IV. TRAINING, EMPLOYMENT, AND SUPERVISION OF STUDENT DRIVERS

The training program is conducted by the Office of the State Commissioner of Motor Vehicles. In addition to having acquired a motor vehicles operator's license, the applicant is given eight hours of classroom training in the operation of a school bus; auditory, visual, and physical examinations; and six or more hours of actual on-the-road training with a school bus. Each prospective driver must pass successfully a rigid written examination and driving test when the course is completed in order to become eligible for opportunity to be employed to drive a bus. After having passed the training course a person is issued a certificate stating that he (she) is competent to drive a school bus loaded with students over the highways and streets of North Carolina. From the list of available certified drivers, the school principal nominates those to be employed by the county or city board of education. Through this procedure most student drivers of questionable competence are eliminated. Once a driver is employed he is placed under the immediate supervision and direction of the school principal.

V. SAFETY FACTORS IN THE TRANSPORTATION EQUIPMENT

Recognizing that safety is the most important single aspect of school transportation, North Carolina many years ago adopted School Bus Specifications that far exceed Minimum Standards for School Buses as recommended by national conferences on school transportation. Some of the requirements are: All school buses are governed to 35 miles per hour, maximum speed; these vehicles are equipped with oversize power brakes and four flashing warning signals to signify that the bus is stopped to take on or discharge pupil passengers; the body is equipped with a convex mirror to provide a panoramic view immediately in front of the vehicle in order that the driver may easily see smaller students crossing in front of the bus; each bus is equipped with a flashing stop arm (semaphore) to indicate that it is in the process of receiving or discharging pupils; and many safety features are incorporated in the construction of the bus body such as additional longitudinal and vertical members to make the body as safe as possible within weight limitations.

In order to insure that school buses are kept in a safe condition each vehicle is seen every other school day by a qualified mechanic who inspects it for the operation of its brakes, lights, horn, mirrors and steering mechanism. In addition to these inspections these vehicles are inspected carefully once each calendar month during the school year by members of the State Highway Patrol who make a written report of their findings. If any repairs or adjustments are needed on any vehicle they are made before the bus is dispatched for its next trip.

VI. ADVANTAGES OF STUDENT DRIVERS TO THE TRANSPORTATION SYSTEM

Based upon 50 years' experience with student drivers, North Carolina officials feel that definite advantages accrue to the State's public school transportation system through the services of students as drivers. Some advantages are:

1. Through the opportunity to screen applicants school officials have more firsthand information about each individual and can be more selective in terms of ability, character, dependability, et cetera.

2. The place of residence of the driver of a school bus is of significant importance. It is far more likely that a student driver will live near the beginning of the bus route, thus keeping at a minimum the mileage the bus shall travel daily.

3. Students are usually familiar with the bus operations and bus route.

4. Students are readily available for more intensive training.

5. Substitute drivers can be trained and made available on short notice.

6. Effective supervision by the school principal is possible. Students accept and follow directions most readily.

7. Students are immediately available for special driver meetings and emergencies.

8. Students are usually in good physical condition, mentally alert, and react quickly.

9. Student drivers park buses during the day on the school site, thus providing ready access to the buses for:

a. Servicing, inspection, and correction of defects by mechanics.

b. Inspecting by the State Highway Patrol at regular intervals.

c. Cleaning interior of the bus, bus windows, and safety lights, signals.

VII. ADVANTAGES TO STUDENT DRIVERS

Fifty years' experience with student bus drivers reveals that such values and advantages as these accrue to students:

1. From an educational standpoint the student driver has an opportunity to develop responsibility, management, leadership, and ability to work with people. He (she) learns also to collect accurate data, keep records, and make various reports.

2. Through service as a driver students earn extra money for necessities. In many instances these earnings, especially for economically-deprived students enable students to remain in school.

3. Experience reveals that one of the best recommendations for post-high school employment is a satisfactory record as a student driver.

VIII. SAFETY RECORD OF STUDENT DRIVERS IN SCHOOL BUS TRANSPORTATION SYSTEM

Student drivers in North Carolina have achieved a commendable safety record. The training required of the students, the specifications governing the purchase and maintenance of equipment, the supervision given the drivers and the equipment, and the personal pride of the students in the program have created within the State a safe and respected school transportation system. This appraisal is supported by:

A. A study entitled "School Bus Accidents in North Carloina", financed by funds from the U.S. Public Health Service, Division of Accident Prevention, Bureau of State Services, and the Automobile Manufacturers Association, Inc., June, 1964. (See Appendix A.)

B. A letter dated January 17, 1967, from the Honorable A. Pilston Godwin, Commissioner of the Department of Motor Vehicles, to Dr. Charles F. Carroll, State Superintendent of Public Instruction. (See Appendix B.)

[From the University of North Carolina Highway Safety Research Center]

APPENDIX A. BRIEF ON SCHOOL BUS ACCIDENT DATA

There are two relevant questions on the issue of prohibiting student school bus drivers. The first is whether school bus driving *per se* is a hazardous occupation from which youngsters should be protected. The second question is whether there is evidence that safety benefits would accrue to North Carolina if student bus drivers were replaced by adults.

With respect to the first question it is obvious that driving *any* motor vehicle involves a certain low level hazard. However, North Carolina accident data, suggest that school bus driving is no more hazardous than driving any other vehicle on the highway, and probably is less so.

With respect to the second question, evidence relating specifically to North Carolina experience shows that safety benefits would not automatically accrue by changing from student to adult school bus drivers.

In a recent study* accident rates for student and adult school bus drivers in North Carolina were compared. The number of accidents in each age group was tallied, and the number of route miles each group drove was calculated. This was done by recording the length of each school bus route in the state, multiplying this by the number of tripdays during the school year, and computing the total number of route miles driven by each age group. From these mileage and accident figures, an accident rate for each group was calculated. The difference between the accident rates of adults and students was tested for statistical significance, and was found not to be significant. In other words the observed difference was well within the bounds of a chance fluctuation, and therefore not subject to being interpreted as a true difference. On the basis of analysis of accident experience specific to the situation in North Carolina, we conclude that the likelihood of accident involvement for our student drivers is not different from our adult drivers, and therefore there are no grounds for asserting that a benefit in terms of accident reduction would accrue to North Carolina from a change from student to adult drivers.

APPENDIX B

STATE OF NORTH CAROLINA,
DEPARTMENT OF MOTOR VEHICLES,
Raleigh, January 17, 1967.

Dr. CHARLES F. CARROLL,
Superintendent, Department of Public Instruction, Raleigh, N.C.

DEAR DR. CARROLL: This Department is the repository of the reports of motor vehicle accidents occurring in North Carolina. I have had an examination made of motor vehicle accident reports and am pleased to respond to your request for data relating to motor vehicle accidents in which North Carolina public school buses have been involved.

Your records probably disclose that approximately 9,200 public school buses are in operation in this State; and that they travel approximately sixty-one million miles annually transporting public school children. Our records indicate that 92% of North Carolina public school buses are operated by high school students and that 65.6% of that group of school bus drivers are not less than 16 nor more than 17 years of age. The remaining 34.4% of North Carolina public school bus drivers include student drivers who are over 17 years of age and the adults who operate school buses.

The reports of "school bus accidents" submitted to this Department include: (1) Any collision between a school bus and an animate or inanimate object, regardless of the extent of dollar damage involved; and (2) Any visible or invisible complained of injury sustained by a public school student and sustained while the student is enroute from his home to the school or return therefrom, and in the proximity of the school bus, even though neither the school bus driver nor school bus was actually involved in the infliction of the complained of injury.

The following is a table of "school bus accidents" reported to this Department during the indicated school years:

Year:	
1961–62	486
1962–63	584
1963–64	625
1964–65	633
1965–66	635

There was an increase of approximately 200 school buses during each of the above mentioned five school years.

* "School Bus Accidents in North Carolina" by B. J. Campbell, J. K. Kihlberg and Susan Lieberman.

As mentioned above, the 16–17 year old public school bus drivers account for 65.6% of all public school drivers. During the 1965–66 school year there were 204 public school bus accidents in which the driver was charged with a traffic law violation. In 75% of those instances the 16–17 year old drivers were charged and the remaining 25% of the violations were charged against the student drivers who were more than 17 years of age and the adult drivers.

A comparison of the records of sixteen-eighteen year old non-public school bus drivers with those of bus drivers of the same age grouping discloses that traffic law violations charged to non-bus drivers runs slightly more than five times as high as those charged to bus drivers.

All North Carolina public school bus drivers are nominated with extreme care by public school officials and are trained, licensed and supervised with the same degree of care by this Department. Consequently, all candidates for public school bus operator's license are several times screened and appraised for qualities of maturity and responsibility.

I am highly pleased with the excellent safety record accomplished by North Carolina's student school bus drivers.

Sincerely,

A. PILSTON GODWIN, Jr.

STATE OF SOUTH CAROLINA,
OFFICE OF THE GOVERNOR,
Columbia, February 24, 1967.

Hon. ERNEST F. HOLLINGS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HOLLINGS: We are deeply concerned over the Fair Labor Standards Act of 1938 as amended and enacted on September 23, 1966. As you know, South Carolina has entered a suit with Maryland and a number of other states to test the constitutionality of this Act. We are particularly concerned with the part of the Act that takes away the exemptions of the states and the political subdivisions of states from the provisions of the Fair Labor Standards Act.

Referring specifically to the problem of school bus drivers in South Carolina we have operated in this state a basic student bus driver program since 1951. The school people and the people in general in this State have been impressed with the efficiency and the safety record of our student drivers. These young drivers have exemplified dependability of a higher degree than was expected by many of our citizens at the beginning of this program. In a great many instances the income earned by these student drivers has been the difference between their remaining in school and becoming a school drop out.

When we became aware of the passage of the Act as passed in 1966 we contacted Secretary Wirtz with particular reference to the provision which declared school bus driving a hazardous occupation for those under eighteen years of age and Secretary Wirtz has suspended this part of the Act until the end of this school year. We estimate that over 3,500 of our school bus drivers are between sixteen and eighteen years of age. To replace these drivers with adults who would be anywhere near as efficient and alert as our present drivers would, we think, be a great and unnecessary expense for the people of South Carolina to bear and we are doubtful as to our ability to replace them with the kind of drivers we need at any cost. The feeling of the people in education with reference to the student driver program was well expressed in a Resolution adopted by the County Superintendents of Education in a meeting held this month. The same Resolution was adopted by the State Educational Finance Commission (an advisory board on school transportation to the State Board of Education) at a meeting on February 2. The

State Board of Education also approved the Resolution at a meeting on February 10. This Resolution was forwarded to Secretary Wirtz and also to each member of Congress.

To be specific about our young school bus drivers in South Carolina—

(1) These drivers are selected by the local school districts and approved by the county board of education.

(2) South Carolina law requires that all bus drivers have a regular driver's certificate and they successfully complete a comprehensive bus driver training course and be issued a bus driver's certificate before being employed as a school bus driver.

(3) This training is given by qualified instructors employed by the Division of Schoolhouse Building, Planning and Transportation. This Division also has forty county supervisors of transportation who devote part of their time to the driver training program.

(4) The training is composed of twelve hours of classroom instruction and a minimum of six hours of behind the wheel and observation time in a school bus. All drivers must demonstrate the fact that they can drive a school bus satisfactorily before certification, as well as pass a comprehensive examination of traffic safety rules and regulations.

(5) The bus driver training program is under the immediate supervision of a supervisor of bus driver training and safety and in addition to our regular driver training instructors the following people participate in our training course: the school principal or superintendent, the county supervisor of transportation, and the area supervisor of transportation.

(6) The employment of student drivers simplifies the matter of supervision inasmuch as they are in school all day and are available for regularly scheduled meetings or for emergency meetings as may be necessary.

(7) Each school is encouraged to select and have trained an average of one and one-half to two drivers per bus. Students are more readily available to serve as substitute drivers than are adults.

(8) School busses in South Carolina are maintained through a system of state owned and operated maintenance shops. Mechanics go to each school daily to inspect busses and carry out a preventive maintenance program. Gasoline tankers also go to schools daily or every other day to gas busses. The county supervisor of transportation or shop foreman inspects all busses in the county once a month and the state highway patrol inspects all busses twice a year.

(9) A medical policy with $3,000 medical benefits and $2,000 death benefits is carried on all students riding the busses. This costs 16.2¢ per student per year. Liability in the amount of 25–5–5 is carried on all school busses at a cost of $30.62 per bus per year.

(10) All school busses in South Carolina are equipped with governors to limit speed of busses to thirty-five miles per hour. Our bus specifications exceed national standards. The stop arm is used for loading and unloading students.

(11) The school people in South Carolina feel that driving a school bus helps a student to develop qualities of leadership, dependability and the ability to get along with people and the experience a student gets in driving a bus has often been helpful in securing permanent employment after the driver finishes his education.

(12) There has not been a student nor a student bus driver killed while riding in a school bus since 1953. Since this involves a total mileage of over 400,000,000 miles of travel, we think the record speaks for itself. We operate in South Carolina 5,100 school busses over regular routes, transporting 344,264 children to and from school each day. The mileage traveled by these busses last year was 37,719,693. Last year our school bus driver training instructors trained 7,548 prospective school bus drivers.

This letter is with particular reference to our school bus driver program but the new Act affects more than this program. I am referring to the effect on hospitals, schools and our state operated maintenance shops for our transportation system. Anything that you and the other members of our South Carolina Delegation can do to alleviate this unnecessary and expensive problem facing the people of South Carolina will be appreciated.

Sincerely,

ROBERT E. MCNAIR.

CHARLESTON, S.C.,
January 14, 1967.

Senator ERNEST F. HOLLINGS,
Senate Building,
Washington, D.C.

DEAR SIR: I am a student at St. Andrews High School at Charleston. Where I drive a school bus. This so called law about being 18 years old to drive a bus. A lot of my friends and myself stand to lose their bus and $35.00 a month which is the only money we get for a month. I stand to lose something I have dreamed about since I was in the first grade just because I was born a year late. Driving a bus may seem a small thing but it is every thing to me and 5500 others. Please sir if you can write me back and put some light on the subject.

Looking for your help.

ROBERT A. KNIGHT.

STATE OF SOUTH CAROLINA,
DEPARTMENT OF EDUCATION,
Columbia, February 17, 1967.

Hon. ERNEST F. HOLLINGS,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HOLLINGS: We are sure that you are aware of the amendments to the Fair Labor Standards Act of 1938 as it was amended and passed by the Congress in September, 1966. The Act as amended will have far reaching effects on schools and other divisions of Government in South Carolina if it is fully implemented and enforced by the Wage and Hour Division of the Federal Government.

The enclosed Resolution was passed by the State Board of Education at its regular meeting on February 10. The Resolution sets forth in general terms our problems as far as our student school bus drivers are concerned. This Resolution was also passed by the State Educational Finance Commission (an advisory commission to the State Board of Education) at its regular meeting on February 2. The Resolution was also passed by the County Superintendents of Education at a meeting held on February 7.

In addition to the problems of student bus drivers the State Board of Education and the Department of Education are also faced with an additional expenditure for bus maintenance if the maintenance shops come under the Wage and Hour Law. The school districts are faced with the problem of lunch room workers and all other employees of the school, part time as well as full time, coming under the Wage and Hour Law. The record keeping involved in all of this is enormous and there are other compelling reasons why in some instances a strict enforcement of the law would be impractical and expensive and would work undue hardship on the State, its political subdivisions and on certain individuals.

As you are aware, the State of South Carolina has joined with Maryland and several other states for the purpose of testing the constitutionality of the amendments in this Act with particular reference to those amendments taking away the exemptions of the states and their political subdivisions.

The Secretary of Labor, the Honorable Willard Wirtz, at the request of Governor McNair and others, has suspended the eighteen year old requirements of the Act as far as our bus drivers are concerned until July 1, 1967. We certainly think that this temporary suspension should be made permanent as stated in the Resolution.

Any help that you can give us with these problems will be greatly appreciated.

Sincerely yours,

CYRIL B. BUSBEE,
Secretary and Administrative Officer to the State Board of Education.

RESOLUTION

Whereas, the Congress of the United States in September, 1966 passed certain amendments to the Fair Labor Standards Act of 1938 and one of these amendments was a section bringing the employees of a State or a political subdivision thereof under the provisions of the Act for employees in a hospital, institution or school; and

Whereas, the Secretary of Labor in 1940 did declare that the occupation of a motor vehicle driver and helper a hazardous occupation for minors between sixteen and eighteen years of age; and

Whereas, State and political subdivisions thereof were exempt from the provisions of the Fair Labor Standards Act until September, 1966 the State of South Carolina in 1951 instituted a state system of transportation which had as a fundamental base the use of student drivers sixteen years of age and above; and

Whereas, it has been the experience of the school people in the State of South Carolina that these student drivers have performed with a high degree of proficiency since the program was initiated in 1951; and

Whereas, the safety record of these student drivers has been excellent as shown by the fact that not one child has been killed while riding in a school bus in South Carolina since 1953; and

Whereas, these young people have sharper vision, quicker reaction capability, are more physically fit and mentally alert than older persons; and

Whereas, these young student bus drivers have exemplified qualities of leadership, good citizenship and dependability beyond the norm for high school students we believe that their influence on the children transported is wholesome and beneficial; and

Whereas, in some cases the income earned by these student drivers is the difference between remaining in school and becoming a school drop out; and

Whereas, approximately ninety-seven per cent of our bus drivers are students, it is not economically sound nor feasible for the State to employ adult drivers because the type of adults who would perform as well as the student bus drivers are not available even at higher salaries. Since more than fifty per cent of pupils attending schools in South Carolina are transported, additional costs for this purpose can become unbearable;

Be it, therefore, resolved by the State Board of Education of South Carolina that they do wish to go on record as endorsing the continuance of our present student bus driver program in South Carolina and they do request the Secretary of Labor, the Honorable Willard Wirtz, to make permanent his suspension of the hazardous driving provision of the Fair Labor Standards Act; and

Whereas, in addition to the copy of this resolution being sent to the Honorable Willard Wirtz, Secretary of Labor, we feel that this matter is of such import to the citizens of South Carolina that a copy of this resolution should be sent to our Senators and

Members of the House of Representatives with the request that they concern themselves about this matter and do anything in their power to either get the act amended or the ruling suspended as it applies to the State of South Carolina and its schools.

SOUTH CAROLINA EDUCATION ASSOCIATION,
Columbia, S.C., February 8, 1967.

Senator ERNEST F. HOLLINGS,
Senate Building,
Washington, D.C.

DEAR SENATOR HOLLINGS: Enclosed please find a copy of a resolution adopted by the South Carolina Association of County Superintendents on February 7, 1967.

Sincerely,

HENRY E. BONNER,
President, South Carolina Association of County Superintendents.

Whereas, the Congress of the United States in September, 1966 passed certain amendments to the Fair Labor Standards Act of 1938 and one of these amendments was a section bringing the employees of a State or a political subdivision thereof under the provisions of the Act for employees in a hospital, institution or school; and

Whereas, the Secretary of Labor in 1940 did declare that the occupation of a motor vehicle driver and helper a hazardous occupation for minors between sixteen and eighteen years of age; and

Whereas, State and political subdivisions thereof were exempt from the provisions of the Fair Labor Standards Act until September, 1966 the State of South Carolina in 1951 instituted a state system of transportation which had as a fundamental base the use of student drivers sixteen years of age and above; and

Whereas, it has been the experience of the school people in the State of South Carolina that these student drivers have performed with a high degree of proficiency since the program was initiated in 1951; and

Whereas, the safety record of these student drivers has been excellent as shown by the fact that not one child has been killed while riding in a school bus in South Carolina since 1953; and

Whereas, these young people have sharper vision, quicker reaction capability, are more physically fit and mentally alert than older persons; and

Whereas, these young student bus drivers have exemplified qualities of leadership, good citizenship and dependability beyond the norm for high school students we believe that their influence on the children transported is wholesome and beneficial; and

Whereas, in some cases the income earned by these student drivers is the difference between remaining in school and becoming a school drop out; and

Whereas, ninety-seven percent of our bus drivers are students, it is not economically sound or feasible for the State to employ adult drivers because the type of adults who would perform as well as the student bus drivers are not available even at higher salaries. Since more than fifty percent of pupils attending schools in South Carolina are transported, additional costs for this purpose can become unbearable;

Be it, therefore, resolved by the county superintendents of education in South Carolina that they do wish to go on record as endorsing the continuance of our present student bus driver program in South Carolina and they do request the Secretary of Labor, the Honorable Willard Wirtz, to make permanent his suspension of the hazardous driving provision of the Fair Labor Standards Act; and

Whereas, in addition to the copy of this resolution being sent to the Honorable Willard Wirtz, Secretary of Labor, we feel that this matter is of such importance to the citizens of South Carolina that a copy of this resolution should be sent to our Senators and Members of the House of Representatives with the request that they concern themselves about this matter and do anything in their power to either get the act amended or the ruling suspended as it applies to the State of South Carolina and its schools.

JANUARY 15, 1967.

Hon. WILLARD WIRTZ,
Secretary of Labor,
Washington, D.C.

DEAR SIR: We citizens of the Mount Pleasant Community of Richland County Columbia South Carolina, do hereby register protest by this petition to the Federal Regulation calling for the elimination of our 16 to 18 year old School Bus Drivers. Our young drivers have been carefully selected on the basis of merit and have excellent driving records. These youngsters grow up to be responsible citizens because they have assumed real responsibility for which they are rewarded in kind. This is the American way. Let us continue it.

Signed by:

John H. Sherwood, Box 232, Route 1, Columbia, S.C.
David E. Meekins, Route 1, Box 171–C, Blythewood, S.C.
Mrs. F. E. Roof, Sr., Route 1, Box 234, Columbia, S.C.
Mrs. C. W. Price, Route 1, Box 223–A, Columbia, S.C.
H. B. Epting, Route 1, Blythewood.
Julian Ballentine, Route 1, Box 216, Columbia, S.C.
John S. Jones, Jr., Route 1, Box 185, Blythewood, S.C.
William M. Cunningham, Route 1, Blythewood, S.C.
Frank S. Roof, Jr., 1608 Charles Drive, Columbia, S.C.
Rebecca C. Fetner, 612 Glenthorne Road, Columbia, S.C.
Mrs. Frank E. Roof, 1608 Charles Drive, Columbia, S.C.
Mr. & Mrs. R. C. Catoe, Blythewood, S.C.
Mrs. Dollie Harriet, Blythewood, S.C.
Mrs. J. L. Sharpe, Jr., Blythewood, S.C.
Ruby Lever Core, RFD #1, Box 186, Columbia, S.C.
Bobby L. Sharpe, RFD #1, Blythwood, S.C.
John L. Sharpe, Jr., Route #1, Blythewood, S.C.
R. L. Lever, Route 1, Box 223–B, Columbia, S.C.
C. W. Price, Route 1, Box 223–A, Columbia, S.C.

EQUITABLE SYSTEM FOR FIXING AND ADJUSTING THE RATES OF PAY OF WAGE BOARD EMPLOYEES

Mr. BREWSTER. Mr. President, I am today reintroducing my bill to establish a uniform Wage Board program.

This legislation would provide noncivil service blue-collar Government workers with benefits similar to those enjoyed by their fellow employees in the civil service, and also an equitable system of setting and adjusting compensation. In addition, uniform standards for departments and agencies would be set up and allowances made for more extensive appeals from grading decisions.

Further, my bill is designed to provide for equitability in wage scales—like pay for like work within a given area. Also, basic to its provisions is that which would allow employee organizations to have a voice in both the administration of the Wage Board system and the conduct of the Wage Board surveys.

Mr. President, I feel this legislation is very much needed and I urge my colleagues to give it their favorable consideration.

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

The bill (S. 1214) to provide an equitable system for fixing and adjusting the rates of pay of Wage Board employees, introduced by Mr. BREWSTER, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

THE CALUMET-SAG NAVIGATION PROJECT

Mr. BAYH. Mr. President, I introduce, for appropriate reference, a bill authorizing certain modifications of the existing projects for the Illinois Waterway, Ind. and Ill., and the Indiana Harbor and Canal, Ind. The purpose of this measure is to permit the United States to participate in the cost of highway bridge construction for phase II of the Calumet-Sag navigation project in accordance with principles of the Truman-Hobbs Bridge Act, as amended.

Although the Calumet-Sag project was originally authorized in 1945, the tremendous costs which would have to be borne by local jurisdictions has prevented any major progress being made in the Indiana section of this important waterway. When completed it will link Indiana Harbor in East Chicago, as well as the cities of Hammond and Whiting, with the port of Chicago. It will greatly facilitate the movement of bulk cargo through this very highly industrialized and heavily populated area.

Mr. President, the effect of my bill would be to extend the same kind of Federal aid for highway bridge construction in Indiana under phase II of the Calumet-Sag project as was provided for the State of Illinois under the earlier phase I. This assistance. I believe, would be equitable and proper. The benefits to be derived from the project will greatly surpass the cost. If this important waterway is to be completed within a reasonable period of time, it is essential that additional help be provided for the construction of highway bridges. Therefore, I urge that prompt attention be given to this measure.

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

The bill (S. 1215) authorizing modification of the existing projects for the Illinois Waterway, Ill. and Ind., and Indiana Harbor and Canal, Ind., introduced by Mr. BAYH, was received, read twice by its title, and referred to the Committee on Public Works.

JOINT RESOLUTION HONORING RUSH-BAGOT AGREEMENT

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a joint

resolution commemorating the signing of the Rush-Bagot Agreement on April 28–29, 1817, in Washington, D.C. The still-operative agreement provided for naval disarmament along the Great Lakes and Lake Champlain. The principle of disarmament gradually extended to border fortifications, so that today—150 years later—this exemplary agreement is the oldest arms limitations treaty in the world. As a result of the foresight of then Secretary of State Richard Rush and then Acting Foreign Affairs Minister of Canada, Charles Bagot, the United States and Canada today enjoy the longest unfortified boundary on the globe—5,525 miles long, including Alaska.

The Rush-Bagot Agreement is one of the most significant steps in the development of peaceful relations between the United States and Canada. The unfortified boundary between our two countries is a tribute to the honor and integrity of both nations and should serve as a symbol to the rest of the world of the harmony and understanding which can be achieved by two sovereign governments. It is thus especially fitting that we give the Rush-Bagot Agreement the national recognition and admiration it deserves.

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

The joint resolution (S.J. Res. 49) to designate April 28–29, 1967, as Rush-Bagot Agreement Days, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on the Judiciary.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Mr. INOUYE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from California [Mr. KUCHEL] be added as a cosponsor of the bill (S. 1181) to exempt a member of the Armed Forces from service in a combat zone when such member is the sole surviving son of a family, and for other purposes.

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

Mr. McCARTHY. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Maryland [Mr. TYDINGS] be added as a cosponsor of the bill (S. 1012) to amend the Internal Revenue Code of 1954.

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

Mr. BREWSTER. Mr. President, I ask unanimous consent that, at its next printing the name of the Senator from California [Mr. KUCHEL] be added as a cosponsor of the bill, S. 217, to authorize the Secretary of the Interior to designate within the Department of the Interior an officer to establish, coordinate, and administer programs authorized by this act, for the reclamation, acquisition, and conservation of lands and water adversely affected by coal mining operations, and for other purposes.

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

Mr. HOLLAND. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Wisconsin [Mr. NELSON] be added as a cosponsor of the joint resolution—Senate Joint Resolution 30—to establish a commission to formulate plans for a memorial to astronauts who lose their lives in line of duty in the U.S. space program.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the junior Senator from the State of Colorado [Mr. DOMINICK], be added as a cosponsor to S. 827, a bill to establish a nationwide system of trails, and for other purposes, and that his name be listed at the next printing of the bill.

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

NOTICE OF PUBLIC HEARING ON COPYRIGHT REVISION

Mr. McCLELLAN. Mr. President, as chairman of the standing Subcommittee on Patents, Trademarks, and Copyrights of the Committee on the Judiciary, I wish to announce that the subcommittee has scheduled additional hearing dates for the consideration of S. 597, for the general revision of the copyright law. In addition to the dates previously announced, hearings will be held on April 4, 6, 11, and 12, commencing at 10 a.m., in room 2228, New Senate Office Building.

The subcommittee, as previously announced, will commence hearings on this bill on March 15 and the hearings will continue on March 16, 17, 20, and 21. The March hearings will be held in room 3302, New Senate Office Building.

HEARING ON JOHN FITZGERALD KENNEDY NATIONAL HISTORIC SITE

Mr. JACKSON. Mr. President, as chairman, I wish to announce that the Committee on Interior and Insular Affairs will conduct an open public hearing, starting at 9:30 a.m., Monday, March 20, on S. 1161, a bill to establish the John Fitzgerald Kennedy National Historic Site in Massachusetts.

I am a cosponsor, with the distinguished senior Senator from Kentucky [Mr. COOPER], of this bill, which would preserve as a national historic site the house where President Kennedy was born and lived for the first 3 years of his life.

The bill will enable the family of President Kennedy to make a gift of this property to the Federal Government. It authorizes the Secretary of the Interior to acquire the property, maintain it as a national historic site, and to allow access to it for the public.

The bill also authorizes the National Park Service to conduct a study to develop a suitable plan for the site, which is located on Beals Street in Brookline, Mass.

Senator COOPER and I believe this to be appropriate and important legislation, and my purpose in scheduling this early hearing is to facilitate prompt action by the Committee on Interior and Insular Affairs and by Congress. Any Member of the Senate or the public wishing to submit a statement to the committee is welcome to do so.

NOTICE OF HEARING ON NOMINATION OF BERT T. COMBS, OF KENTUCKY, TO BE U.S. CIRCUIT JUDGE, SIXTH CIRCUIT

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, March 14, 1967, at 10:30 a.m., in room 2228, New Senate Office Building, on the nomination of Bert T. Combs, of Kentucky, to be U.S. circuit judge, sixth circuit, vice Shackelford Miller, Jr., retired.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Arkansas [Mr. McCLELLAN], the Senator from Nebraska [Mr. HRUSKA], and myself, chairman.

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, without amendment, the joint resolution (S.J. Res. 4) authorizing the President to proclaim "National CARIH Asthma Week."

The message also announced that the House insisted upon its amendments to the bill (S. 665) to authorize appropriations during the fiscal year 1967 for procurement of aircraft, missiles, and tracked combat vehicles, and research, development, test, evaluation, and military construction for the Armed Forces, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. RIVERS, Mr. PHILBIN, Mr. HÉBERT, Mr. PRICE of Illinois, Mr. BATES, Mr. ARENDS, and Mr. O'KONSKI were appointed managers on the part of the House at the conference.

OPERATION GOVERNMENT

Mr. MANSFIELD. Mr. President, it has come to my attention that the Federal Government now has a very effective public relations group promoting the better understanding of operation and workings of our National Government. I refer to Operation Government, a committee composed of wives of Members of the U.S. Senate, the House of Representatives, the Supreme Court, and the Cabinet.

The committee is developing a television series on the workings of the Federal Government. For too long the workings of the Federal Government have been misunderstood and incorrectly labeled. The work of this committee can make a tremendous contribution in making the American people more aware of the responsibilities and complexities of the three branches of Government established under the Constitution.

Operation Government deserves our wholehearted support. Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks two statements which give more details on the objectives and accomplishments of this worthwhile organization. The first is a news release from the Westinghouse Broadcasting Co., Inc., and the second is a statement released by Mrs. Charles Vanik in October of last year.

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

TELEVISION SERIES ON THREE BRANCHES OF GOVERNMENT ANNOUNCED BY "OPERATION GOVERNMENT" AND GROUP W

WASHINGTON, D.C., Oct. 1.—The production of a series of sixty half-hour educational television programs, designed to serve as an illustrated primer on the three branches of the federal government was announced today by Mrs. Charles A. Vanik and Mrs. Gerald R. Ford, Co-chairmen "Operation Government," and Donald H. McGannon, Chairman and President of Group W (Westinghouse Broadcasting Company).

In making the announcement, Mrs. Vanik and Mrs. Ford, who are the wives of Congressman Vanik (Ohio) and Congressman Gerald Ford (Mich.), cited "the pressing need for more and better educational material to serve the general public's heightened interest in knowing more about the operation of the government. 'Operation Government', a bi-partisan committee composed of wives of members of Congress, the Senate, the Supreme Court, the Executive branch and of experts in the educational television field was formed over two years ago to assure the production of this type of critically needed television program. We are gratified that Group W has undertaken the considerable commitment necessary to bring this project to fruition."

In outlining the scope of the television series, Mr. McGannon said, "the programs will draw upon the resources and talents of great teachers and will utilize techniques of graphics, film and other devices of demonstration which can add interest, appeal and clarity to an educational television program.

"We look upon this project as an opportunity to make a meaningful contribution to generating more creative relationships between the constituent and his government. We believe television can contribute much in this regard and commend the vision and initiative of the 'Operation Government' committee in seeking out this medium as a primary educational vehicle," Mr. McGannon said.

In addition to Co-chairmen Mrs. Charles A. Vanik and Mrs. Gerald R. Ford, members of the "Operation Government" committee are: Mrs. Hubert H. Humphrey, Mrs. Stewart L. Udall, Mrs. Carl Albert, Mrs. William H. Ayres, Mrs. Jonathan B. Bingham, Mrs. Hugo Black, Mrs. Hale Boggs, Mrs. John W. Byrnes, Mrs. Edmond Campbell, Honorable Edith Green, Mrs. Fred R. Harris, Mrs. Chet Holifield, Mrs. Warren G. Magnuson, Honorable Catherine May, Mrs. Henry S. Reuss, Mrs. John J. Rhodes, Mr. Mark E. Talisman and Mr. Nick Zappel.

The television series will be produced on videotape by Group W which will broadcast the program on its stations and make it available without cost to television stations throughout the country. In addition a film version will be made available for classroom and another non-theatrical use.

The first 30 programs will be ready for broadcast beginning in the fall of 1967; the second 30 ready by fall 1968.

A team of eminent political scientists has been recruited to serve as consultants to the series: D. B. Hardeman, Professor of Political Science, Trinity College; Hugh Le Blanc, Professor of Political Science, George Washington University; Howard Pennyman, Professor of Political Science, Georgetown University and William Prendergast of the Republican Conference. Pre-production meetings with this team of consultants have already taken place.

The beginnings of "Operation Government" were outlined by Mrs. Vanik, Mrs. Ford and Mark E. Talisman, who was instrumental in the formation of the committee and conceived and outlined the original proposal to utilize television in achieving the aims of the committee. Mr. Talisman is Administrative Assistant to Congressman Charles A. Vanik of Ohio.

Work on the project began three years ago with the first formal committee meeting taking place six months later and the initial meeting with Group W one year after that. Throughout this period representatives of WETA, the educational television station in Washington, D.C., worked closely with the committee members in an advisory capacity.

In addition to surveying the major functions of the three branches of government, the series will reveal many behind-the-scenes aspects—committee work, staff work, etc.—which are not apparent to the casual visitor to Washington, D.C. In this way the series will serve to better prepare visitors to appreciate and understand the nation's capitol when they visit.

The series will also serve as an aid in voter preparation and as a means of improving the interplay between government and citizen through better mutual understanding.

The series will be produced for Group W by Michael Sklar under the supervision of Richard M. Pack, Senior Vice President, Programming, Group W.

During the past 15 years Mr. Sklar has produced many important documentaries for National Educational Television, the CBS Television Network and for Group W. He served as Executive Producer of the Intertel series, producing documentaries in Mexico, England and other international locations. At CBS, Mr. Sklar was producer of the distinguished science series, "Conquest."

The Group W stations are: WBZ, WBZ–TV, Boston; WINS, New York; KYW, KYW–TV, Philadelphia; WJZ–TV, Baltimore; KDKA, KDKA–TV, Pittsburgh; WOWO, Ft. Wayne; WIND, Chicago and KPIX, San Francisco.

STATEMENT OF MRS. CHARLES A. VANIK ON "OPERATION GOVERNMENT"

Mr. Speaker, Ladies, and Gentlemen, I shall endeavor to briefly tell you about the purposes which brought together our representative group of the distaff side of the government in this series of television programs on the operation of government.

As wives of legislators, administrators, and judges, we have been answering questions—yes, explaining as best we could all that goes on—and why. These inquiries impressed us with the great hunger for information. Everyone desires to know better the various processes by which laws are created, administered, and judged.

We want to see the vital processes of the American government displayed as they really are. We feel the government is a warm, dynamic, living thing. We want to excite public interest in these processes and the events which they make. We want these things to be as real to those who see this program as it is to those more fortunate to be on the scene—to live in this atmosphere charged with change.

American government is more than a textbook subject or a civics course. It is a system of producing prosperity, equality, social progress, and justice through order. The teacher can present the organization of government and the dogma of democracy. Our task is to implement—to breathe life and experience into words otherwise silent. Our experience here has revealed the color and the excitement of the nerve center of our government. We would like to transfer these experiences to the classroom and to the home.

We endeavor to correct the common stereotyped concept of the politician or the public official. We know these men and women for their courage, their integrity, and their public concern. These truths should also be shown. They will serve to attract young people and new people to the dignified challenge of public service. Government is a cherished and an honorable calling. We endeavor to strengthen the voice of that calling and to make it loud and clear.

Now we come to the question of how we propose to develop this series.

A program outline was developed with WETA in an advisory capacity, and was presented to our Committee at its first meeting two years ago. Our Committee, bi-partisan by nature—as are our politics, agreed unanimously that this presentation should be a lively, realistic approach to our system of government.

This was no simple task! Which should we seek first—foundation help or a director-producer? Should we use actors or should we keep it authentic by using actual participants in government? Our decision was finally made in the direction of a professional broadcasting company known for its contribution to education. The uniqueness of this program is the desire of our Committee to be helpful in working with Westinghouse to bring our cameras into contact with vital proceedings, and into the offices of key people in government today. Perhaps the contrasting of an urban Congressional office with that of a Congressman from a rural district would point up the different problems encountered by each.

The structure will be lecture type with frequent use of historic and recent film clip—and other innovative TV technique. The first thirty half-hour programs will be on the Legislative Body, and the next thirty on the Executive and Judiciary Bodies of government.

The first series will be ready in September 1967 and the second series by September 1968. For those school areas without access to TV, 16-millimeter film will be made available. A copy of this news release has been sent to every Congressional office, and we anticipate a cooperative, harmonious climate throughout the Congress, spurring research and production toward our goal.

At this time, I would like to introduce our very able and charming Co-Chairman. Despite her busy schedule, she has managed to give this project her full support. She will introduce the four professors appointed by this Committee to work closely with the producer of "Operation Government," and those members of our Committee who were able to be here today.

Mrs. Gerald R. Ford . . .

OPERATION GOVERNMENT

Cochairmen

Mrs. Charles A. Vanik (Ohio), Mrs. Gerald R. Ford (Michigan).

Members

Mrs. Carl Albert (Oklahoma), Mrs. William H. Ayres (Ohio), Mrs. Johathan B. Bingham (New York), Mrs. Hugo Black, Mrs. Hale Boggs (Louisiana), Mrs. John W. Byrnes (Wisconsin), Mrs. Edmond Campbell, Mrs. Frank Church (Idaho), Mrs. Everett Dirksen (Illinois), Mrs. Peter Dominick (Colorado), Hon. Edith Green (Oregon),

Mrs. Len Jordan (Idaho), Mrs. Fred R. Harris (Oklahoma), Mrs. Chet Holifield (Cali-

fornia), Mrs. Warren G. Magnuson (Washington), Hon. Catherine May (Washington), Mrs. Eugene McCarthy (Minnesota), Mrs. Winston Prouty (Vermont), Mrs. Ogden Reid (New York), Mrs. Henry S. Reuss (Wisconcin), Mrs. John J. Rhodes (Arizona), Mrs. Stewart L. Udall.

Executive director

Mr. Mark E. Talisman.

Consultants

Dr. D. B. Hardeman (Trinity College), Dr. Hugh LeBlanc (George Washington University), Dr. Howard Pennyman (Georgetown University), Dr. William Prendergast (Republican Conference Committee), Mr. Nick Zappel (U.S. Senate Commerce Committee).

TOTAL MOBILIZATION

Mr. BYRD of West Virginia. Mr. President, the presentation of the administration's message on Selective Service to the Congress yesterday reminded me of the anecdote of the week carried on May 15, 1966, in the Washington, D.C. Post's "Potomac" magazine. It related the total mobilization order by Haile Selassie to the Ethiopians when Mussolini invaded that country only 32 years ago. Gen. Lewis Hershey, Director of Selective Service for our Nation, is reported to have it framed, and hanging on a wall of his office.

I ask unanimous consent that this article be printed in the RECORD.

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

ANECDOTE OF THE WEEK

Gen. Lewis Hershey, director of Selective Service in World War II, the Korean War and the Vietnam War, has had framed and hung on his wall the mobilization order issued by Haile Selassie to the Ethiopians when Mussolini invaded that country in 1935. It reads:

"Everyone will be mobilized, and all boys old enough to carry a spear will be sent to Addis Ababa. Married men will take their wives to carry food and cook. Those without wives will take any woman without a husband. Women with small babies need not come. The blind and those who cannot walk, or from any reason cannot carry a spear, are exempt. Anyone found at home after the receipt of this order will be hanged."

REGIONAL REDEVELOPMENT FOR THE GOOD OF ALL VERSUS RATIONING OF SCARCITY

Mr. KUCHEL. Mr. President, on March 1, 1967, the Colorado River Board of California met to discuss the Colorado River Basin project. I ask unanimous consent that a resolution adopted by the board at that meeting be printed at this point in the RECORD.

Mr. President, I also ask unanimous consent that sundry editorial comments on the "stripped down" central Arizona project plan, recently proposed by Secretary of the Interior Udall, be printed at this point in the RECORD. It is interesting that the scheme has run into editorial criticism in Secretary Udall's home State of Arizona.

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

RESOLUTION OF THE COLORADO RIVER BOARD OF CALIFORNIA, MARCH 1, 1967

I

The Colorado River Board of California recommends enactment of S. 861, 90th Congress, introduced by Senator Kuchel of California and Senator Moss of Utah, and counterpart bills in the House, as introduced by Congressman Hosmer (HR 6271) and others. These bills agree in principle with those introduced by Chairman Aspinall of the House Committee on Interior and Insular Affairs and Chairman Johnson of that Committee's Subcommittee on Irrigation and Reclamation.

The foregoing bills all embody the following features, which the Colorado River Board has repeatedly endorsed, and which were contained in the bill reported out by the House Committee in the 89th Congress:

1. Recognition of the necessity for meaningful steps to augment the inadequate flows of the Colorado River.

2. Adequate protection for the states and areas of origin of water exported to the Colorado, including full protection of the priorities of those areas in perpetuity.

3. Recognition of the Mexican Treaty burden as a national obligation, and that an appropriate share of the cost of importing water should be allocated to the performance of that Treaty. Whenever importations are accomplished to the extent of 2.5 million acre feet annually, both basins should be relieved of the danger of curtailment of their own uses to perform the Nation's Treaty obligations to Mexico.

4. Balancing of the operation of Lake Mead and Lake Powell, so that the benefits of wet years and the burdens of drought shall be equitably distributed between Upper Basin and Lower Basin reservoirs. We recommend the language of the Kuchel-Moss-Hosmer bills in this respect.

5. Authorization for construction of the five projects in Colorado.

6. Reimbursement of the Upper Colorado River Basin fund for payments out of that fund to compensate reduction of the power operations at Hoover Dam occasioned by filling of Lake Powell.

7. Authorization for construction of Bridge Canyon (Hualapai) Dam and Power Plant, and creation of a basin account to help finance the Central Arizona Project and importation works, fed by revenues from Hualapai Dam and by revenues from Hoover, Davis and Parker Dams after they have paid out.

8. Authorization for the construction of the Central Arizona Project, as part of the regional plan, but on the condition that if the water supply of the Colorado River is insufficient to satisfy the requirements of the projects already in existence or heretofore authorized by Congress for construction in Arizona, California and Nevada, then shortages shall be borne as provided in those bills. The effect is that California must bear the first burden of shortage, sacrificing nearly one million acre feet of constructed capacity whenever the supply shrinks to 7.5 million acre feet annually; but that the Central Arizona Project shall bear the next share of the shortage if the supply shrinks below 7.5 million acre feet before imported water arrives. To this end the priorities of existing and authorized projects will be protected as against the proposed Central Arizona Project, but only until works have been constructed to import at least 2.5 million acre feet annually. The protection to existing and authorized projects in Arizona and Nevada would be unrestricted in quantities, but the protection to California's existing projects would be restricted to 4.4 million acre feet annually, to give effect to a limitation to which California agreed at the time of enactment of the Boulder Canyon Project Act.

II

The Colorado River Board of California recommends against enactment of the bill recommended by the Secretary of the Interior in his report on the Aspinall bill. The Secretary's proposal fails to protect the interests of any state other than Arizona. It abandons the regional solutions proposed by the Secretary in the last Congress, and which the seven states accepted in the bill (HR 4671) reported out of committee in the 89th Congress.

California followed and supported the Secretary's leadership then, and regrets his abandonment of it now. California has not changed her position. We hope that unity among the seven states can be reestablished under the leadership of Chairman Aspinall within the framework of the principles the seven states agreed upon last year which this resolution restates.

[From the Riverside (Calif.), Enterprise, Feb. 5, 1967]

UDALL UNDERCUTS THE WATER PLAN

The fight for comprehensive regional treatment of the West's water problems is by no means lost. But it has been made much more difficult by Secretary of the Interior Stewart Udall's surprising retreat from the basics of the seven-state plan agreed upon last year.

Mr. Udall's new plan would satisfy Arizona interests that are pushing for more water for Phoenix and Tucson. Also it will come as a relief to conservation groups that have been fighting the proposed Hualapai and Marble Canyon dams on the Colorado River.

But it would do so at the expense of a guarantee that California will retain a survival ration of 4.4 million acre feet of water annually from the Colorado until such time as that river is reinforced by an annual flow of 2.5 million acre feet diverted from the Pacific Northwest.

The Udall plan also torpedoes a regional study of the feasibility of sending south a small portion of the water that now cascades down the Columbia and spills, unused, into the Pacific. In its place would be a much more general study to be made on a nationwide basis by a national water commission yet to be created. That's a format for endless delay.

Finally, by eliminating the hydroelectric dams in favor of a more constricted output of steam-generated power, the Udall program removes a large source of public revenue that would have underwritten both the Central Arizona project works and at least the early stages of the Pacific Northwest development. The Secretary says the three Arizona counties that stand to benefit could pay for the Central Arizona Project.

But how is the larger program to be financed? The Secretary doesn't say.

What he has undercut here is an infinitely delicate and finely balanced compact among the seven states of the Colorado River watershed. The compact ended decades of unproductive feuding between California and Arizona, but only by virtue of the guarantee to California of interim Colorado River water and the prospect of fresh water from the Northwest.

It is clear that the Udall plan serves neither California's rock-bottom needs nor the newfound unity among the Colorado Basin states.

Having failed to secure proper leadership through the executive branch it now becomes important for the seven states to stick together, for Arizona to be persuaded of the long-run dangers of trying to go it alone, and for the battle for a rational regional water plan to be pressed harder than ever in Congress. The campaign that has been going

badly in the Interior Department can still be won on Capitol Hill.

[From the Tucson, (Ariz.) Citizen, Feb. 7, 1967]

NEW CAP PLAN BAFFLES STATE

Gov. Jack Williams expressed bewilderment last week when he was advised of a drastically revised Central Arizona Project proposed by the Johnson Administration.

The Arizona governor could have added that he was stunned. He, as were most Arizonans, was caught completely off guard by Interior Secretary Stewart Udall's proposal which reduces the seven-state regional plan to a three-county Arizona plan. Sen. Paul Fannin was wise to call at once for a meeting of Arizona's congressional delegation with state leaders.

The last session of Congress considered a blockbuster $2.1 billion regional water plan to develop water resources in the lower Colorado River Basin. The Central Arizona Project was part of the regional plan. So were two dams on the Colorado River, Hualapai and Marble Canyon dams.

The bill made more progress than ever before, but it still died in committee. Some of the seven states, including Arizona, vowed to renew the quest for vital water in the 90th Congress.

So far Arizona and two other states have introduced bills which are modified versions of the last session's seven-state regional plan. Arizona's, for instance, whittled the bill down by eliminating one of the two controversial dams opposed by the conservationist Sierra Club.

These states and Congress in general were caught by surprise by Secretary Udall's unexpected $719 million scaled-down plan. Reaction generally was complete bewilderment, but among Arizona legislators bewilderment slowly has turned to anger.

Secretary Udall's plan, if translated into legislation, means that Congress will enact legislation which would increase costs of water users and real property taxpayers in just three counties of one state.

And, this is what makes Arizonans angry. If the CAP is going to be an Arizona affair only, why is this a matter just for Congress to decide? And why is it necessary to abandon the Marble Canyon Dam, which would not spoil the Grand Canyon and which would help finance CAP?

Certainly, Arizona is in a better position than Congress to determine how to proceed with a project that will be of benefit to the entire state, not just to three of the state's counties as Secretary Udall's plan suggests.

[From the Oakland (Calif.) Tribune, Feb. 7, 1967]

CANYON FIGHT

When he announced that the Administration was dropping its plans for building two controversial dams in the Grand Canyon area, Interior Secretary Stewart L. Udall denied that this represented capitulation to conservationists who opposed them.

"This is not a big victory for anyone," Udall said. "It's a victory for common sense."

If the new Colorado River development plan represents a "common sense" approach, why didn't the Administration propose it last year?

[From the Torrance (Calif.), S. Bay Daily Breeze, Feb. 13, 1967]

A RATIONING OF SCARCITY

Dividing scarcity is an exercise in futility, yet this is what Secretary of Interior Stewart Udall now proposes for the Colorado River Basin.

Three years ago the Secretary endorsed a sensible regional water conservation plan that included a guarantee of all the states' basic rights to water.

It included the Central Arizona Project to bring water to Phoenix and Tucson and lifted sights to the time when water would have to be imported into the basin from other sources.

Importation of water studies depended in a large part on funds to be obtained from the sale of power to be generated at proposed Marble and Bridge (Hualapai) Canyon Dams.

Now, in an astonishing reversal, Mr. Udall has abandoned this imaginative and realistic regional approach in favor of a Central Arizona plan without the dams, but with construction of a thermal power plant. It is a retreat from pressure opposing the two dams in the name of "conservation."

And it is a plan that will again divide the basin into sectionalism, set neighbor state against neighbor state in a fight for water that does not exist and put the Interior Department further into thermal generation, where it does not belong.

There simply is not enough water in the Colorado basin to serve the needs of the 190,000-square-mile area. The river produces about 16.5 million acre feet of water a year. Demand on this source is about 17.8 million acre feet.

Without outside sources of water, construction of the Central Arizona Project would direct 1.2 million acre feet to Phoenix and Tucson and cut California's fundamental right to 4.4 million acre feet in half. It is a plan the Golden State could not tolerate.

There fortunately is a sensible compromise between the original plan for a regional program and the unthinkable extreme of Mr. Udall. It is in the measure introduced by Sen. Thomas Kuchel, Republican of California, patterned after a bill approved by the House Interior Committee last year.

It would reinstate the original regional approach, but construct only the Hualapai dam, 80.8 miles downstream from Grand Canyon National Park at the headwaters of Lake Mead. As a concession to "conservationists" Marble Canyon dam, 12.5 miles above the eastern boundary of Grand Canyon National Park, would be eliminated. California's basic water rights, fundamental in any plan, would be protected.

It is a minimally essential plan to protect the regional approach and provide long-range water needs of the Colorado River basin that should be approved by Congress.

POLITICS AND THE LONG SEARCH FOR PEACE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial which was published in the Sunday Star of Washington, D.C., on March 5, 1967, entitled "Politics and the Long Search for Peace."

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

POLITICS AND THE LONG SEARCH FOR PEACE

The past week produced what might be called two confrontations on the conduct of the war in Vietnam.

The first one, essentially an effort by the congressional doves to move in on the shaping of military policy, was easily crushed by administration forces. In fact, if one does not count the hours of windy and nonsensical oratory, the effort never got off the ground. The second came in the form of the speech by Senator Robert F. Kennedy. His speech seems to have made no imprint on the President's thinking, but as to this the final results may not be in.

Senator Clark of Pennsylvania, supported by Senator Fulbright, led the initial charge. They wanted the Senate, in voting more money for the conflict, to go on record as calling for a declaration of war if the bombing in the North continues or if our troop commitment in Vietnam goes above the 500,000-man mark. The Senate was not about to buy this, and it finally settled for a substitute proposal by Senator Mansfield which amounts to little more than stamping a senatorial O.K. on the substance of what the President has been doing. When this fund authorization measure got over to the House the doves tried again. A Democrat, George E. Brown Jr., of Califorinia, offered an amendment proclaiming it to be the "sense of Congress" that none of the authorized funds, about $4.6 billion, be used "to carry out military operation in or over North Vietnam." This was defeated by a vote of 372 to 18, and that was that.

Since the Kennedy effort, which had been in the build-up process for several weeks, was in the form of a speech, no congressional action was called for and none was taken. The reaction from the other end of Pennsylvania avenue, however, was prompt and emphatic. It boiled down to this: Thank you, but we are not interested.

The New Yorker began by saying that the President is entitled to "our hopeful sympathy, our understanding and our support in the search for peace." He added that "for years, President Johnson has dedicated his energies in an effort to achieve an honorable peace." Senator Kennedy wants to help the President in his search, and there is no reason to question the sincerity of his own desire for peace. At the same time, it would be naive not to recognize that the senator was also staking out for himself a position in this search for peace which differs in significant respects from that of the President.

For example, after the warm praise of the President's dedicated efforts, Kennedy said: "The question is whether we are doing everything possible to reach that goal"—a peaceful settlement. Obviously, the New Yorker's position is that we, and this means the President, are not doing all that is possible. How else is one to construe this Kennedy remark: "Commenting on the period of the New Year's truce, Prime Minister Wilson said that 'one single simple act of trust could have achieved [peace.]' We can and should perform that act."

The implication here is that our government has not done all that might have been done. But the British Prime Minister was calling for an act of trust from Hanoi—not from us. Did Senator Kennedy not understand this?

Well, so much for such personal political image-making as Senator Kennedy may have had in mind. What about the merits of the proposals which he has finally put on the table?

The speech as a whole and the Kennedy peace plan in particular are notably imprecise.

For one thing, the senator does not deal with the role of Peking in any attempt to end the Vietnamese war. There are those who doubt that Ho Chi Minh is a free agent, who think that he is so dependent on Red China for military help that he could not make peace if he wanted to. It is strange that Senator Kennedy did not see fit to explore this aspect of the problem in depth.

He seemed to bank primarily on the notion that Soviet Premier Kosygin, in contrast to North Vietnamese spokesmen, is not now calling for a permanent and unconditional end to the bombing as a precondition to peace talks and is saying instead that negotiations "would begin" if we simply halt the bombing.

This strikes us as quite a free-wheeling interpretation of anything that Kosygin has

said. In any event, what reason is there to believe that the Soviet Premier can speak with any assurance for Hanoi? It is believed on good authority that when Kosygin was meeting in London with Wilson, the Russian leader sent a message to Hanoi urging some reciprocal gesture in response to our peace overtures. If such a message actually was sent, it was either ignored or rejected by Hanoi.

One must hope, earnestly hope, that Kosygin will come down strongly on the side of peace negotiations. Perhaps he will. But there is nothing that we know of—unless something new and firm should emerge from U Thant's talk with Hanoi representatives in Burma—which indicates that he can swing Hanoi to the side of peace. Nor does Senator Kennedy suggest that he has any such information.

In this situation it is exceedingly doubtful, to say the least, that any good purpose would be served by embracing the Kennedy proposals. In brief, these are that we should halt the bombing and say we are ready to negotiate within the week, that if negotiations should be started some non-existent "international group" would watch to see that neither side acts during the talks to improve its military position, and that if the passage of "substantial time" and events "prove" that our adversaries do not sincerely seek a negotiated solution but are merely stalling we can then "reexamine our entire military strategy." Senator Kennedy evidently thinks little harm could result from trying this. General Westmoreland, our commander in Vietnam, disagrees. He says that any pause in the bombing "will cost many additional lives and probably prolong the conflict."

President Johnson also disagrees. In his letter to Senator Jackson, after reviewing the long record of bad faith on Hanoi's part and his own fruitless efforts to settle the war, the President declared: "But right now I wish friend and neutral and adversary to know that we shall persist with our operations in the South—we shall persist with our operation in the North—until those who launched this aggression are prepared to move seriously to reinstate the agreements [of 1954 and 1962] whose violation has brought this scourge of war to Southeast Asia."

This, we believe, is both the right attitude and the only one which holds any real promise of an end to the fighting.

It is possible, if there is no early change for the better in Vietnam, that Senator Kennedy has hit upon a formula which may in time bring him some political dividends. But in our view it is a formula that will contribute nothing whatever to a just and honorable settlement of the war.

THE WAR ON CRIME

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD the letters to the editor which were published in the Sunday Star of Washington, D.C., on March 5, 1967, all of which refer to the war on crime.

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

LETTERS TO THE EDITOR: THE WAR ON CRIME

SIR: I'd like to see more intelligent, unemotional thinking such as your editorial "Crippling His 'War on Crime.'"

As a former government investigator who never used a "bug" but who saw the filth and fear of organized crime from up close, I too have wondered how "Our laws (will) be respected" and "Order (will) be maintained" if law officers are not allowed to use the best equipment available against organized crime.

I conclude, as you did, that President Johnson doesn't know what he is talking about and is receiving phony advice. Nor is the President alone. Every court which seeks out excuses to free a criminal whose "rights" have been violated must face that same conclusion.

E. H.

SIR: As a Negro businessman in the Washington area, I am very much concerned with the increased robbery and vandalism of stores and banks, etc. It has come to a point where white and colored merchants are leaving the city through fear and lack of protection.

There is no color barrier for robbery and vandalism. If this increased crime isn't stopped, this city will be out of food stores, drug stores, banks, etc. As an example, the stores that are closed in the Kenilworth area and the Anacostia area have caused hardships on families that have no transportation. They have to pay 50 cents to ride a bus to obtain a loaf of bread or a small box of aspirin. This should be something to think about.

I strongly believe parents and Community leaders should stress the importance of these establishments as an asset to their community. If something isn't done fast, the Nation's Capital will be a ghost town for businesses.

DAVID BROWN.

SIR: James J. Kilpatrick's column, "Judge Pine Dissents Once More" was a very fine article commenting on some of the points made by Judge Pine in the Minority Report.

Mr. Kilpatrick quotes Judge Pine, "I have felt that one of the immediate, urgent ways to repress crime was swift, certain and impartial justice. My experience has caused me to believe that once wrongdoers are convinced that the law is not to be trifled with and that they will be called to account for their misdeeds, crime will decrease."

Mr. Kilpatrick opened his next paragraph with these words, "His colleagues did not share that old-fashioned view." This could leave the impression that the Judge stood alone in his views and this was not the case. I have serious doubts that the views are "old fashioned" but I strongly supported them in Commission proceedings and still do.

I repeatedly expressed in Commission meetings and in statements elsewhere that there is no substitute for swift, firm, and yet just enforcement of the law with less attention to technicalities which seem aimed primarily at protection of the wrongdoer and not the general public. I am proud to have participated with the Judge in his Minority Report on this and other matters.

DONALD S. BITTINGER,
President, Washington Gas Light Co.

SIR: Your editorial entitled "Ammunition for the War on Crime" was a welcome expression of sound judgment in a serious and dangerous situation.

But there exists great objection to, and absolutely no intention of treating the "crime cancer," itself, and excising it once and for all, namely—by prompt and adequate punishment of all criminals.

Instead, precious time is again being lost in various proposed "treatments" or "studies" into "why" this "crime cancer" developed and how to create a climate or conditions in which there will be no criminals.

MARSHALL F. ROSS, Jr.

SIR: I was reared and educated in the District, and lived there through two World Wars when every room was jammed with the military and civilians from everywhere. Even then I was never afraid to go out at night to concerts, theater, movies, art exhibits, classes, club or visits. Now as a widow living alone in an apartment (and there are thousands of us) I cower behind triple-locked door and locked and braced windows night after night. Great Society indeed! I'd settle for a much lesser adjective.

E. K. DAY.

ARLINGTON.

SIR: The President's message to Congress on crime, together with the report of the Commission on District of Columbia Crime and the National Crime Commission findings presage serious consideration of the subject by the Congress and probable enactment of legislation.

It seems to me that there is one main failure that permeates these documents. They adopt the creed that most crime is the outgrowth of poverty, slums and ghettos, unemployment, discrimination and, in general, social and economic deprivation. Thus they adopt the cult of personal irresponsibility: No one is responsible for what he really is and does or for his criminal behavior. Society is the culprit, and delinquencies of individual's character can only be corrected if society reforms itself and conquers (with money, boards and commissions) the social ills that beset us.

I might suggest that basically the breakdown in law and order may be attributed to wrong-headed public policies, including calamitous court decisions; to a soft-headed approach toward, and grossly inefficient handling of, the problems of the apprehension and punishment of criminals; to the notion that sympathy should be shown to bad men, rather than to the victims of their depredations; to an innate hostility toward, and defiance of, the police, and to a failure on the part of many citizens to discharge their civic responsibilities.

The time is here for tough action; the day has gone by for pampering or excusing the criminal. Innocent victims and law-abiding citizens must be protected; or else.

ALLEN C. PHELPS.

SIR: You printed in this column, recently, a letter in which the statement was made that "Poverty, noneducation, even slums, have nothing to do with crime." This statement is preposterous, and even more so as one tries to think it through. If poverty, etc., have nothing to do with crime, why does Harlem have, and maintain, year after year, a higher crime rate than any of the middle class communities?

Poverty has everything to do with crime, for poverty is synonymous with inadequate housing, broken homes, bad schools, and welfare, all of which compound an already unhealthy situation. Stronger laws, and law enforcement are certainly needed, but this cannot be an end to the crime problem in itself.

BERNETTE GOLDEN.

SIR: It is not at all surprising that young punks have made certain areas of the District of Columbia places of terror. For years they have known that anytime they were caught by the police, the cry of "police brutality" would protect them. They have for years openly defied the policemen, and they have received the support of the courts in this.

Instead of requiring reasonable care of property where they live, many tenants are allowed to tear up the places where they live and then cry for sympathy. A case in point is the public housing project recently reported and pictured in your paper. These had been well built and in good condition when the tenants moved in.

Newspaper, radio and television editorials are demanding increased trash and garbage collection—now that burning has been

stopped at Kenilworth. Pictures of refuse clogged backyards and alleys are being shown as feeding and breeding places for rats. Why has no one had the courage to say that it is the responsibility of the people themselves to keep their garbage and trash in covered cans and not just throw it out-of-doors? Even if the D.C. Sanitation Department had daily collections, the rats would still multiply from garbage thrown out each day.

C.W.B.

IMPROVING SLUM SCHOOLS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial which appeared in the Sunday Star, Washington, D.C., on March 5, 1967, entitled "Improving Slum Schools."

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

IMPROVING SLUM SCHOOLS

Federal Education Commissioner Harold Howe's refusal to endorse the U.S. Civil Rights Commission plea that Congress require "racial balance" in the nation's schools should encourage a swift legislative burial for this ill-conceived proposal.

No doubt Howe, in his congressional testimony the other day, was expressing the firm view of the administration on the subject, which is cause for gratification.

The significance of Howe's testimony was increased, however, by the fact that he takes a back seat to no one as an advocate of educational parks, school busing and other means of bringing about a greater racial balance in schools. He has made this position abundantly clear in the past. Indeed, he took pains the other day to let Congress know he agreed with the Civil Rights Commission view that to provide "quality education one must provide desegregated education."

But Howe went on to say that the "practical problems" in dealing with precise percentages is "the kind of issue we ought to go slow on." His agency could not support the Civil Rights Commission proposal, he said, as a condition of federal aid. And of course he is right.

Having made this point, we wish that Howe had turned more forcefully to the practical alternative. The best hope of overcoming the severe deficiencies which exist in many predominantly Negro schools, particularly in the slum areas of cities, is to concentrate in these schools drastically improved teaching programs, the best teachers and a great deal more money. Lamenting racial imbalances which in many cases are impossible to change, and which reflect the whole pattern of modern urban society, will never get the job done.

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. 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.

ARTICLE "THE EMBARRASSED AMERICAN" EMPHASIZES NEED OF SENATE RATIFICATION OF HUMAN RIGHTS CONVENTIONS

Mr. PROXMIRE. Mr. President, Mr. William Korey of New York City has long been one of the most able advocates of Senate ratification of the Human Rights Conventions.

In the October 31, 1964, issue of Saturday Review, Mr. Korey, in an article entitled "The Embarrassed American," traced the long and tragic route of U.S. abdication of international human rights leadership.

The passage of time has merely served to compound the record of American embarrassment. A total of 27 additional nations have ratified the four Human Rights Conventions since publication of Mr. Korey's article. Where then 55 nations had ratified the Convention on Slavery, the total is now 67. Where 43 nations had then ratified the Convention on Political Rights of Women, the total is now 50. Where then 68 nations had ratified the Convention on Forced Labor, the total now is 75. In addition, as of now 69 nations have ratified the Convention on Genocide.

By way of contrast, when the Genocide Convention was first considered by the Senate Foreign Relations Committee, a total of only five nations had ratified.

Since the committee first started its deliberations, the amazing number of 64 nations have ratified the Genocide Convention. But the United States stands conspicuous—not for our leadership, but for our absence. The Senate has let the United States down by our continuing failure to ratify a single one of the Human Rights Conventions.

Mr. President, William Korey's article "The Embarrassed American" presents an eloquent and persuasive case for U.S. ratification of the Human Rights Conventions. I commend it to my colleagues. I request unanimous consent that Mr. Korey's article be printed in the RECORD.

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

[From the Saturday Review, Oct. 31, 1964]

THE EMBARRASSED AMERICAN

(By William Korey)

Last January an important United Nations organ was the scene of a little-noticed but significant exchange that embarrassingly bared a vital defect in America's aspiration to be a champion of international human rights. The debate in the U.N. Subcommission on Prevention of Discrimination and Protection of Minorities had come to center on the need to establish essential international implementation machinery for reporting upon and eliminating racial and ethnic discrimination. Not uncharacteristically, the Soviet member expressed strong opposition to the establishment of international machinery, while the American member took the lead in urging "forceful measures of implementation."

On the defensive throughout the sharp debate, the Soviet spokesman finally pointed out "that the United States had not ratified the Convention on the Prevention and Punishment of the Crime of Genocide or the Convention on Slavery."

The suggestion of brazen hyprocrisy was clear to all. With an obvious air of discomfort, the American replied that he could only "regret, of course, that my country has not ratified the Convention on Genocide."

This was not the first time, nor would it be the last, that America's failure to ratify international human rights conventions would be flung in her face. And yet the embarrassment that has plagued American diplomacy in the field of international human rights was by no means historically inevitable; indeed, in the circumstances that prevailed in the early years of the United Nations, it seemed not only logical but indeed inexorable that the United States would assert leadership in creating a global structure of human rights.

The establishment of the rule of law on an international scale was at the very heart of our postwar political activity and diplomacy. The Nuremberg Tribunal, of which we were a major architect, was dedicated to the thesis that men had an unwritten common set of standards that required obedience, and that central to this standard was the respect for human dignity. Parallel to the trials of those charged with "crimes against humanity" was the vigorous action of the American delegation at the U.N. to elaborate, on the one hand, an "international bill of rights" composed of both a universal declaration and binding covenants on human rights and, on the other, an effective treaty that would brand as an international crime "acts committed with an intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such."

On December 9, 1948, the General Assembly voted unanimously to adopt the Genocide Convention, and two days later the United States appended its signature. The United States leadership in drafting the convention was reflected in the text itself, which was formulated in terms of familiar Anglo-American legal theory and couched in language of traditional American common law concepts. Thus the convention perserves the principle of territorial jurisdiction over criminal acts. Furthermore, the crucial Article III of the convention, which specifies the acts that are subject to punishment, draws upon the language of common law crimes long accepted in American law. Most important, it was the United States that insisted that a specific intent to commit genocide must be proved, and Article II explicitly states that the act must be coupled with a clearly indicated intent to destroy a national, ethnic, racial, or religious group before it can be called genocide.

The Genocide Convention constituted a vital cornerstone in the structure of the rule of law. As the Prime Minister of Australia, Herbert V. Evatt, then noted, "In this field relating to the sacred right of existence of human groups, we are proclaiming today the supremacy of international law once and for all." Deterrence of the crime was to be the principal object. Experts writing in the *Yale Law Journal* observed: "The knowledge that constitutionally responsible rulers, public officials, and private individuals are equally susceptible to punishment and that genocide is not to be considered a political crime for purposes of extradition, might well swing the weight needed to deter offenders from their initial step."

For a time, it seemed that U.S. ratification would come swiftly. On June 16, 1949, President Truman transmitted the Genocide Convention to the Senate, asking for its consent. A subcommittee of the Senate Foreign Relations Committee held public hearings in January and February 1950, during which an Administration spokesman, Deputy Undersecretary of State Dean Rusk, testified that ratification was necessary to "demonstrate to the rest of the world that the United States is determined to maintain its moral leadership in international affairs and to participate in the development of international law on the basis of human justice."

In May 1950 the subcommittee reported favorably on the convention to the full committee, but at the same time, to meet some objections from segments of the legal profession as well as from conservative political forces, the subcommittee recommended that four "understandings" and one "declaration" be embodied in the resolution consenting to

ratification. One "understanding" (later termed a "reservation") was designed to clarify the words "in whole or in part" in the key section of the convention defining genocide. Some feared that a single lynching might be sufficient to bring the clauses of the treaty into play. The "understanding" explicitly noted that the genocidal acts must be done "in such manner as to affect a substantial portion of the group concerned." A second "understanding" aimed at meeting criticism of language in Article II, which included in the definition of acts of genocide the "causing [of] serious . . . mental harm to members of the group." The subcommittee proposed that "mental harm" be defined as a "permanent physical injury to mental faculties." The third "understanding" took account of concern registered in some quarters that the phrase "complicity in genocide" (one of the acts to be punished) was too vague. The subcommittee defined it as "participation before and after the facts and aiding and abetting in the commission of the crime of genocide." The final "understanding" was minor.

The most important clarification was designed to meet objections that the treaty might deleteriously affect federal-state relations by sapping the authority of states on criminal matters. The proposed "declaration" met the constitutional issue by noting that the Senate considers ratification "to be an exercise of the Federal Government to define and punish offenses against the law of nations, expressly conferred by Article I, Section 8, Clause 10, of the United States Constitution. . . ."

But even these clarifications—which many thought unnecessary since they were self-evident—failed to elicit positive action by the full committee. A resurgent nativism, expressed in the McCarthy movement, was already in full swing, developing into a powerful force that in turn provided sustenance and support to those who felt that our sovereignty might be undermined by the United Nations and the legal instruments it was forging.

The newly elected Eisenhower Administration put an end to all further discussion of the Genocide Convention and, indeed, any other human rights convention. Secretary of State John Foster Dulles told the Senate Judiciary Committee in April 1953 that genocide "could better be reconsidered at a later date," arguing that the Soviet Union had not yet ratified the treaty. But even when the USSR did accede to it in 1954, no change in Dulles' policy was forthcoming. The Secretary of State had already told the Senate that, with reference to the protection of global human rights, the Administration favored "methods of persuasion, example, and education rather than formal undertakings," such as U.N. human rights treaties. The Dulles formulation was aimed at depriving the influential supporters of Senator John Bricker of a major argument in their efforts to restrict the treaty-making powers of the President. Bricker's followers had raised an alarm over possible U.S. ratification of the proposed U.N. Covenants on Human Rights.

However, the disintegration of McCarthyism as an effective political force and the collapse of Bricker's efforts did not prompt either the Administration or the Senate to take any step in reasserting American leadership in the human rights field. What has been described as a "lingering Brickeritis" appeared to infect the body politic of American life while our spiritual credo concerning the dignity of man remained scarred.

In the meantime, the United Nations and its specialized agencies moved ahead, usually by unanimous vote, in drafting conventions on particular rights. Among these were: the status of refugees (1951); the political rights of women (1953); the status of stateless persons (1954); the abolition of slavery, the slave trade, and institutions and practices similar to slavery (this was a supplementary convention adopted in 1956); the abolition of forced labor (adopted by the International Labor Organization in 1957); the nationality of married women (1957); discrimination in employment and occupation (by ILO in 1958); discrimination in education (adopted by UNESCO in 1960); the reduction of statelessness (1961); and consent to marriage and minimum age of marriage (1962).

The failure to ratify any of these conventions has inhibited the United States in contributing to the creation of legal norms in the human rights fields, especially those that would be applicable to the newly established states of Africa. It is well known that these states consciously model their constitutions upon U.N. instruments, and the absence of the U.S. among the ratifiers cannot but affect their attitude to these conventions. Furthermore, the failure to accede to U.N. Conventions has precluded the possibility of our complaining effectively about the implementation of any convention by a ratifying power. Only those who are contracting parties to cenventions are in a position, in most instances, to blow the whistle on violators of treaty obligations assumed by an acceding state.

Certainly the American government is becoming more keenly aware of the difficulties confronting it as a world leader by its abstinence in ratifying human rights conventions. Its posture, after all, is determined not only by military might and industrial capacity, but also by its moral pronouncements on freedom and equality. At a time when the growing number of human rights issues are competing for world attention, U.S. leadership is under constant scrutiny by both friend and foe in respect to the sincerity with which it makes commitments and adheres to them on matters involving human rights.

Last year the White House took a major step forward in consonance with the deepening awareness of the interrelationship between our national interest and international conventions on human rights. On July 22 President Kennedy submitted to the Senate three human rights conventions: the political rights of women, already ratified by forty-three countries; the supplementary convention on the abolition of slavery, ratified by fifty-five countries; and the ILO convention on the abolition of forced labor, ratified by sixty-eight countries. The three conventions that were chosen for submission were the least likely to arouse resistance in the Senate on constitutional grounds. None of them pose any problems with respect to the delicate balance of federal-state relations.

Yet it is apparent that neither the present Administration nor its supporters in the Senate are exerting strong pressures in behalf of the three conventions. Fourteen months have elapsed since the conventions were submitted to the Senate Foreign Relations Committee, and, thus far, the committee has not even bothered to schedule hearings on the subject or to appoint a subcommittee to study them.

As for the Genocide Convention, which has now been ratified by sixty-seven countries, no progress at all has been evident. Although last year a White House spokesman stated that "we share the views that prompted President Truman to urge consent of the Senate for United States ratification," no Senator could claim that he was being pressed on this issue by the Administration.

Recently courageous voices have been raised urging that we "think about the unthinkable" and that we shunt aside the myths that hinder our grasp of reality and impede the effective articulation of our foreign policy. Is it too much to ask of these voices that they apply the same courage in dealing with the myths surrounding human rights issues?

Next year, 1965, will be celebrated as International Cooperation Year—the twentieth anniversary of the U.N. Charter. One of the best ways of commemorating the year would be the ratification of U.N. human rights treaties, for they testify to the cooperative forward march made by mankind in establishing the rule of law on an international scale. The U.N. Preparatory Committee on ICY has already suggested that member states be asked "to give consideration to the early ratification" of these treaties. Dare we think about the "unthinkable" and move in this direction?

CUTTING GRANT-IN-AID PROGRAMS TO THE STATES UNDER THE TABLE

Mr. JAVITS. Mr. President, the Department of Health, Education, and Welfare has revealed to me that it is discontinuing during the current fiscal year the practice of reallocation of funds under many of the principal programs under its jurisdiction. In the past, where a State had not used all the money allotted to it under a grant program in health, education, or welfare, the money not used has been reallotted to the other States on a proportionate basis.

The programs affected include aging, the Elementary and Secondary Education Act, adult basic education, library assistance, chronic diseases, community health practice and research, dental services, and general health.

HEW anticipates that some $78 million of funds appropriated by the Congress will not go to the States by virtue of its suspending this reallotment procedure.

This new HEW policy has its unfortunate aspects. In the first place, the States were not consulted nor, as a matter of fact, were they ever informed once the policy went into effect. My own State of New York is particularly concerned in this regard.

Second, the Department of Health, Education, and Welfare did not consult with the Congress on this new policy. The authorizing committees, while not mandating reallotment, nevertheless have authorized it in program after program with the view that this authorization would be employed as it has in the past.

Third, when the Congress appropriates funds for use in a health, education, or welfare program it is our intention that the funds be used for that purpose. I favor at least giving these programs the benefit of what we have willed to spend.

This $78 million cut by the HEW in appropriated funds going to the States will have its impact on ongoing and on future plans. Consultation with the States and with the Congress is most assuredly merited. This is budget cutting under the table. If programs are to be cut back, all concerned in our representative form of government and in our open society should be made aware of it.

One final observation, Mr. President. The Department of Health, Education,

and Welfare has not as yet, I am advised, formulated its policies with respect to reallotment for the next fiscal year, fiscal year 1968, which begins July 1, 1967. I hope that the Department, in reaching its decision, will operate openly, consulting with and informing both the appropriate congressional committees and the States, rather than just make its own unilateral decisions, and deprive the States which need it, like my own State of New York, of the reallocation which has been traditional with the operation of the Department. The situation demands no less than that.

MILITARY PROCUREMENT

Mr. RUSSELL. Mr. President, I ask unanimous consent that the Chair lay before the Senate a message from the House of Representatives relating to S. 665.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 665) to authorize appropriations during the fiscal year 1967 for procurement of aircraft, missiles, and tracked combat vehicles, and research, development, test, evaluation, and military construction for the Armed Forces, and for other purposes, which was, to strike out all after the enacting clause and insert:

TITLE I—PROCUREMENT

SEC. 101. In addition to the funds authorized to be appropriated under Public Law 89–501, there is hereby authorized to be appropriated during the fiscal year 1967 for the use of the Armed Forces of the United States for procurement of aircraft, missiles, and tracked combat vehicles in amounts as follows:

Aircraft

For aircraft: for the Army, $533,100,000; for the Navy and the Marine Corps, $1,784,300,000; for the Air Force, $1,303,000,000.

Missiles

For missiles: for the Army, $6,100,000; for the Navy, $48,700,000; for the Marine Corps, $2,100,000; for the Air Force, $45,000,000.

Tracked Combat Vehicles

For tracked combat vehicles: for the Army, $62,200,000; for the Marine Corps, $4,200,000.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 201. In addition to the funds authorized to be appropriated under Public Law 89–501, there is hereby authorized to be appropriated during the fiscal year 1967 for the use of the Armed Forces of the United States for research, development, test, and evaluation, as authorized by law, in amounts as follows:

For the Army, $40,000,000;

For the Navy (including the Marine Corps), $40,000,000;

For the Air Force, $33,000,000; and

For Defense Agencies, $22,000,000.

TITLE III—MILITARY CONSTRUCTION

SEC. 301. The Secretary of each military department may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, which are necessary in connection with military activities in southeast Asia, or in support of such activities, in the total amount as follows:

Department of the Army, $288,500,000;

Department of the Navy, $140,000,000; and

Department of the Air Force, $196,000,000.

SEC. 302. The Secretary of each military department may proceed to establish or develop installations and facilities under this Act without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 303. There are authorized to be appropriated such sums as may be necessary for the purposes of this title, but the appropriations for public works authorized by section 301 shall not exceed: Department of the Army, $288,500,000; Department of the Navy, $140,000,000; Department of the Air Force, $196,000,000, or a total of $624,500,000.

Mr. RUSSELL. Mr. President, I move that the Senate disagree to the amendment of the House of Representatives, and request a conference with the House of Representatives thereon; and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. RUSSELL, Mr. STENNIS, Mr. SYMINGTON, Mr. JACKSON, Mrs. SMITH, and Mr. THURMOND conferees on the part of the Senate.

SELECTIVE SERVICE

Mr. SYMINGTON. Mr. President, this is a time of rapid change. We are no longer the Nation today that we were two decades ago, when Congress enacted the Selective Service law.

In the last 50 years we have been involved in four major wars. We think in military terms today of a national defense budget of more than $75 billion.

Nevertheless the key element of our national security is the citizen soldier, the young American who must bear the burdens of defense under the direction of his Government as interpreted in the Selective Service System.

The President has now made his recommendations on the revision of the draft law. He proposes that it be extended for 4 years. At the same time he has directed the Director of Selective Service and the Secretary of Defense to develop a fair and impartial system of selection, with 19-year-olds to be drafted first.

This is a vital and controversial subject. It is not easy to determine what is the fairest system when not all American young men are needed. But it is a matter that must be considered and decided by Congress.

For my own part I have not decided details as to what is the wisest course. But I respectfully commend the President for presenting the Congress a thoughtful and constructive possible approach to this problem.

RICHMOND COMBINED ENTERPRISES, INC.

Mr. BAYH. Mr. President, on March 1, 1967, I had the opportunity of visiting the facilities of a thriving business venture in Centerville, Ind. This firm, Richmond Combined Enterprises, Inc., performs mechanical and electronic assembling, drilling, packaging, and wiring, and serves, in effect, as an auxiliary labor force to private industry. Using only handicapped labor, it bids on contracts in the open market, fully in accord with the true competitive spirit of American business.

Richmond Combined Enterprises started operations in 1961 with a capital investment of only $1,125. In its first year, gross sales totaled $19,000. Five years later sales had jumped to $97,000—a fourfold increase. This remarkable record was achieved without a single lost-time accident during the 5-year period.

This Horatio Alger success story is even more impressive in light of Richmond Combined Enterprises' unique purpose. Richmond Combined Enterprises was formed to provide permanent employment for the so-called hard-core handicapped—men and women who ordinarily find it extremely difficult, if not impossible, to secure employment directly in private industry. Richmond Combined Enterprises' success should serve as a showcase and inspiration to all of us, but in particular to those employers who have an opportunity but may be reluctant to hire qualified handicapped workers.

Despite their handicaps, Richmond Combined Enterprises workers have evidenced, in the words of Combined Enterprises' president, Mrs. M. E. Cleghorn—

A fervent desire to be self-supporting without special privileges.

Once again the profit motive has produced socially desirable results.

Spurred on by its early successes, Richmond Combined Enterprises has begun a training program looking toward the placement of its workers in private industry. In 1966 10 Richmond Combined Enterprises graduates were successfully placed and three already have received promotions. Among those handicapped who have been employed in this venture are persons suffering severely from arthritis, spinal and limb impairments, deafness, epilepsy, heart trouble, diabetes, and blindness.

Mr. President, this is truly a remarkable demonstration of the worthwhile contribution which many handicapped persons can make to our economy as well as to their own sustenance and well-being. I am pleased to invite attention to this successful enterprise and to commend those who are directing it for their initiative and resourcefulness. Keep up the good work, Richmond Combined Enterprises.

COMMUNITY IMPROVEMENTS INSPIRED BY CUMMINS ENGINE CO.

Mr. BAYH. Mr. President, as the problems of urban living become more and more complex, the effort necessary to improve the quality of life will require the cooperation of all segments of the economy. In my own State of Indiana an outstanding example of a business dedicated to community development is Cummins Engine Co. The achievements of this firm, under the able leadership of its civic-minded president, Mr. J. Irwin Miller, should serve as a model to other industrial concerns. Columbus, Ind., has become a better place in which to live because of Cummins' willingness to participate fully in community life.

As a direct result of efforts by this industry to enhance the architectural beauty of schools, public buildings, and churches, the citizens of Columbus have received many lasting benefits. Civic pride is everywhere evident. And esthetics does pay, as Columbus' employers have discovered: employees work better under improved and pleasant working conditions. Job recruiting, for example, has been made easier. Prospective employees are amazed at the rare combination of beauty and functionalism that mark the Columbus skyline.

What we see here in a town of 25,000, Mr. President, is an effort by farsighted individuals, aided by a progressive community leadership, to deal with the often neglected problems of quality living. And it has been, by all accounts, a very successful effort. One such account, praising Mr. Miller and his dedication to civic betterment, recently appeared in the Wall Street Journal. Mr. President, I ask unanimous consent that the article be printed in full at the appropriate place in my remarks.

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

DESIGNING COMPANY: CUMMINS LURES GOOD ARCHITECTS TO COLUMBUS, FINDS IT PAYS

(By Peter H. Prugh)

COLUMBUS, IND.—Several blocks from this community's downtown area, a low, almost windowless elementary school with a broad, sweeping stairway entrance is in the final stages of construction. Nearby, excavation has been completed for a new public library, designed by I. M. Pei, architect for the John F. Kennedy Library at Harvard. Also in the area is a large modernistic church built in 1941 by the late Eliel and Eero Saarinen. Eero, the architect for New York's CBS building and Washington's Dulles Airport, is further represented here by a bank building on the town's main street and another soaring church finished three years ago on the outskirts.

Five other new school buildings by distinguished American architects dot this community, and plans for two others are already under way. In addition, the town boasts a handsome community golf course, designed by Robert Trent Jones, with an elegantly modern clubhouse.

Small Midwestern county seats may have many virtues, but they aren't usually known for significant contemporary architecture. What, then, are schools, churches, banks and other buildings by some of the nation's leading architects doing in this southern Indiana town of 25,000?

The unusual architectural patrons of Columbus are Cummins Engine Co., large maker of heavy duty diesel engines, and J. Irwin Miller, Cummins chairman and a member of a prominent local family whose considerable fortune was made in banking and in Cummins.

Mr. Miller, a former president of the National Council of Churches, and his family were instrumental in getting the Saarinens to design two churches in Columbus. But the burst in architectural activity here mainly dates from the middle 1950s, when the Cummins Foundation, set up by the company, made an offer to the school board to pay all architectural fees for new local schools to encourage more creative building designs; the board accepted. Under the arrangement, the school board selects the architect from a list of six first-ranked American architects submitted by a disinterested panel of two architects. No architect can be chosen more than once, and the architect is also given responsibility for recommending landscaping and interior furnishings for the school.

A GIFT TO COLUMBUS

More recently, the foundation has broadened its offer to include other public buildings in Columbus, and more than $800,000 has been spent for architectural fees and related costs since the program began. In addition, Cummins Engine itself paid for the 18-hole golf course and clubhouse on farmland near Columbus at a cost of $1.5 million, then donated it to the community.

Not all interest in Columbus architecture has been centered on new structures, however. The Irwin Union Bank & Trust Co., of which Mr. Miller is chairman, is pushing a program to rehabilitate the rows of ornate, late 19th century buildings that line Washington Street, the town's main downtown thoroughfare, in conjunction with an urban renewal program.

Mr. Miller conceived of the school architectural fees program when the community's need for new schools became painfully obvious in the 1950s.

The 57-year-old executive indicates that the fees program wasn't merely prompted by civic mindedness. The town needed strong educational facilities and an interesting living environment to attract talented management and research people to work for Cummins. "If Columbus isn't an above-average community, we can't stay here," he remarks.

The company obviously plans to stay. A huge $22 million research and engineering facility, designed by Chicago architect Harry Weese, will soon be completed. The company has also had a recent large influx of young management personnel.

For example, when Berton J. Goldstein, 28, came to Columbus from Atlanta for a Cummins job interview last year, he says he expected "to see a factory in the middle of some farms." His wife, who knows something about architecture, began "overwhelming me with names" of the various designers after she saw the buildings, says Mr. Goldstein, who's now in charge of Cummins product publicity. An executive for Arvin Industries Inc., another large local company, says Arvin's prospective employes are usually shown some of the town's architectural landmarks as part of its recruitment program.

The new buildings have met with considerable praise from art critics. The magazine Architectural Forum notes that the community "has more than 20 buildings that have Eckardt, a critic for the Washington Post, attracted national attention." Wolf Von Eckardt, a critic for the Washington Post, wrote that the new buildings have "made this still rather messy, car-drowned Midwestern city . . . into a showcase of the country's most handsomely designed modern schools, churches and other community buildings."

Local reaction to the architecture is mixed, probably partly because Cummins, with about 8,000 employes here, cannot help dominating the community somewhat. "I think they could find enough good architects in the state of Indiana without going out of state to find them," says Peter Zaharakos, an operator of a picturesque ice cream and soda parlor on Washington Street. Some of the new schools "go to excess," he feels. And recently county officials turned down a Cummins Foundation offer to pay the architectural fees for a new children's home. Nevertheless, residents of the town proudly escort visitors around to see the various buildings.

Ralph Neville, principal of McDowell School, designed by John Carl Warnecke & Associates, of San Francisco, and completed in 1960, says the school produces a "relaxed atmosphere" for both teacher and pupil. The school is made up of four buildings connected by walkways, and features wide glass windows and numerous peaked roof sections. Since the building was finished, the surrounding low-income neighborhood has noticeably perked up through rehabilitation and some new construction.

Clarence Robbins, superintendent of the Bartholomew Consolidated School Corp., which includes Columbus, claims that the handsome new schools help attract good teachers. More than 40% of the teachers here have advanced degrees or are working on them, he says. Despite some complaints by citizens, he says the buildings haven't proved overly costly to build or maintain. An elementary school completed here in 1963 under the Cummins program cost $15.48 a square foot, Mr. Robbins notes. The state average that year was $15.44.

Behind the Cummins program, however, is a long-range view of the importance of good, functional architecture, which goes far beyond building costs per square foot. "Anybody who's traveled around the world can see how long buildings can last if they're really done well," comments Mr. Miller, who feels that American architecture is now in one of its best periods. "But mediocre buildings have short lives. It's expensive to be mediocre."

CHEAP SCHOOLS, LOW STANDARDS

It's particularly dangerous to build shoddy schools, he says, because children learn not only from what they read and hear, but also from what they see around them. A cheap school building that "just tries to get by" can have the effect of producing "cheap standards" in other areas. "You can't tell a guy in our diesel factory you want accuracy to one ten thousandth of an inch if he works in a cheap building with poor lighting."

Like many other observers, Mr. Miller is worried about the seemingly insoluble problems facing many of America's major cities. Even in Columbus, he fears that the town still hasn't adequately prepared for its future. "But if any city can solve its problems, a town of 25,000 ought to be able to. Here, there's a chance to make a difference."

Those who feel good architecture is an unnecessary frill should take a look at Columbus. Although the town still has its share of jangling signs, ugly buildings, traffic jams and other problems, the new architecture has boosted community pride and created an atmosphere that makes citizens concerned about how their town looks. All this seems to illustrate a saying of Winston Churchill's, which Mr. Miller is fond of quoting: "First we shape our buildings, then our buildings shape us."

THE NEED FOR IMPROVED DIET

Mr. BAYH. Mr. President, there appears to be good scientific evidence that, although the people of the United States

have available to them a great variety and quantity of foodstuffs, a number of people lack an adequate intake of vitamins and minerals in their diet. It is well known that even overweight persons may lack adequate nutritional balance because certain high caloric foods may have little nutritional value.

In recent years much progress has been made in fortifying food with the addition of minerals and vitamins to make up a part of those nutrients lost in processing, especially in such staple items as flour and milk. The development of values for certain nutrients by the Food and Nutrition Board of the National Research Council has proved to be a valuable guide for large-scale food planning.

In addition various vitamin and mineral supplements have been developed and made available to the public in a form easy to purchase and consume but entirely separate from regular foods. The convenience and value of taking supplementary minerals and vitamins in the form of tablets, pills, or liquid are obvious. Some controversy has arisen, however, on the need, extent, or kind of regulation which the Food and Drug Administration should impose on the labeling which the packages for supplementary minerals and vitamins must bear.

Last June 18 the Food and Drug Administration issued regulations which, among other things, would have mandated that all vitamin and mineral supplements include a label declaring that the foods people eat contain an abundance of vitamins and minerals, and that there is "no scientific basis for recommending routine use of dietary supplements" except for specific medical purposes. These regulations, which have gone into effect on December 15 if there had been no opposition, have been somewhat revised and their effective date postponed until after a hearing has been held to permit interested parties to testify.

An article which examines and comments on this whole problem has recently come to my attention. It was written by Dr. W. A. Compton, president and chief executive officer of Miles Laboratories, Inc., and was published in the Journal of Commerce for November 22, 1966. In order that other Senators may read this analysis, 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:

WIDE MALNUTRITION IN UNITED STATES UNDERSCORES IMPROVED DIET NEED

(By W. A. Compton, M.D., president and chief executive officer, Miles Laboratories, Inc.)

Anyone with enough determination to grope through the confusion obscuring contemporary American dietary habits is bound to stumble over a paradox: Despite the overwhelming abundance of food in this country, many people at every economic level are suffering from malnutrition.

The forms taken by malnutrition can be surprising too. Superficially, one wouldn't think of inadequate nutrition in connection with the overweight. However, it is a fact, according to leading nutrition authorities that obesity is the commonest instance of malnutrition among Americans.

WEIGHT WITHOUT BALANCE

Obesity may be due to an overspecialized diet, heavy in the so-called empty calories from foods with high caloric, but little or no other, nutritional value, such as alcoholic beverages. Daily vitamin and mineral supplements have been recommended as the simplest way of ensuring proper nourishment for the obese during their reducing period when they must consume fewer calories every day than they burn up. Once they have reached desirable body weight, however, they must then learn to live with a diet which is in nutritional balance with their needs.

It is entirely possible to eat enough food to satisfy the appetite and fail to get all the nutrients needed for good health. Although we should select enough of the proper foods that provide all the necessary nutrients, too many of us do not, for all sorts of reasons. Teen-agers who live on french fried potatoes, pizzas, candy and soft drinks, older people who have lost interest in eating, businessmen who rush to the office without breakfast, members of ethnic groups whose diets are unbalanced because of tradition, and people afflicted with a sweet tooth all risk malnutrition.

Numerous studies have shown that essential vitamins and minerals are lacking in many diets, and for good reason. As a group, these nutrients are found abundantly in some foods, but in small quantities, or not at all in others. Moreover, the nutritive makeup of a given food may not be consistent, due to variations used in seed, soil conditions, cultivation and harvesting and the destructive effects of storage, processing and cooking. In fact, there is still a great need to study the amount of various nutrients actually available by the time food reaches the table.

Finally, the key factor is the individual. What does he select? How much of what he selects does he actually eat? How efficiently does his system utilize what he eats? And, does what he eats fulfill his needs?

Confronted with all these variables, the average person connot be certain that he is meeting his dietary requirements regularly.

WHY VITAMINS, MINERALS?

The role of vitamins in body chemistry is complex and critical. Vitamins are needed both for the production of sufficient enzyme materials and as enzyme helpers. Some vitamins are essential for growth and development, and others are needed for the proper use of our food.

The body does not produce vitamins, so they must be taken in from the outside. Some vitamins can be stored in the body for subsequent use; others cannot. Ultimately, inadequate vitamin intake can lead to vitamin deficiency which may cause health problems requiring medical diagnosis and attention.

Fortunately, the American diet has improved so greatly during the past half century that certain diseases due to vitamin deficiency—for example, pellagra—have virtually disappeared. Others, such as scurvy and rickets, still do occur in some areas of the country. But these extreme examples of deficiency only point up the far more common situation of inadequate vitamin intake of a milder degree which may be disguised by apparent health and normal body weight.

Minerals also function in enzyme systems as well as being building blocks in the body's tissues, for example, calcium in bone, iron in blood. Mineral deficiencies are not uncommon among otherwise healthy segments of the population.

Anemia due to lack of available iron in the diet, for example, is the most common deficiency disease in this country. Iron balance is precarious indeed for infants, growing children, adolescents, and females during pregnancy and menstruation, according to a recent study of experts in iron metabolism. Some authorities, in fact say that iron supplementation should be mandatory for females of child-bearing age.

Other studies point up such mineral deficiencies as evidenced by the continued prevalence of goiter due to low iodine content of soil and water in certain geographic areas.

DIET OFTEN INADEQUATE

The history of nutrition improvement in the United States by means of food fortification, enrichment and finally vitamin and mineral supplementation has been marked by growing awareness on the part of nutritional experts that there is a wide gap between the food people actually eat as opposed to what they should eat.

At the beginning of World War II, it became evident that the nutritional status of the country as a whole was only adequate, and that sizable segments of the population were either deprived of vitamins and minerals or even ill with vitamin deficiencies. Through the efforts of the National Research Council and its Food and Nutrition Board, a food enrichment program was developed. Food enrichment, in this sense, involves returning only those nutrients to a food that have been lost in processing.

This effort was directed mainly toward certain staple, inexpensive, high-caloric foodstuffs (chiefly flour) which were major items in the diet of poor people. Later, some foods were "fortified" by the addition of nutrients not naturally present or present only in small quantities. Thus, for example, milk, by the addition of certain vitamins, has been made more nearly a complete food.

Meanwhile, the Food and Nutrition Board established values for certain nutrients, including vitamins and minerals, designed as a guide for food planning for large population groups. These values have come to be known as "Recommended Dietary Allowances" (RDA's).

Another milestone in nutritional progress was marked by the introduction of the concept of supplementation; supplements supply the daily requirements of certain vitamins and/or minerals in a convenient form, for example a pill, powder, tablet or liquid. It suffers from none of the variables such as are involved in getting food to the table. Additionally, the supplement is independent of foods and, therefore, of calories, a factor of major importance to dieters. Vitamin-mineral supplements are not magic pills or cure-alls, but they can and do play an important role in maintaining the health of the nation.

CONTROVERSY DEVELOPS

Like any other historical process, the progress of vitamin and mineral supplementation and its acceptance by regulatory agencies, the medical profession and the genral public does not proceed without controversy.

Currently, scientific experts, medical groups, another government agency, the pharmaceutical industry and its trade associations have taken issue with the Food and Drug Administration's new regulations regarding supplements. The FDA would require the following statement on the label of vitamin-mineral supplements:

"Vitamins and minerals are supplied in abundant amounts by the foods we eat. The Food and Nutritional Council recommends that dietary needs be satisfied by foods. Except for persons with special medical needs, there is no scientific basis for recommending routine use of dietary supplements."

This FDA label statement has been based upon the false premise of an "average American diet," arrived at by dividing the total foodstuffs consumed in this country by the total population. Such an "average" diet does not exist, is not practical, nor would it be acceptable. With more freedom of choice

than in any other country, Americans as a whole do not understand, much less conform to, the rules of good nutrition.

The RDA's of the Food and Nutrition Board are clearly a recognition by the scientific community of the need for adequate vitamin and mineral intake. It is important to note that the FDA has not and certainly could not challenge the need—and in its Regulations has actually adopted the substance of the RDA requirements. In this respect, the current controversy then is reduced to the narrow ground of whether the consumer can practically and does in fact obtain his necessary intake of vitamins and minerals from his diet, and, equally necessary, whether he can be certain or can be assured by others that this is so on a day in and day out basis.

FDA LABEL MISLEADING

Dr. W. H. Sebrell, Jr., Director of Columbia University's Institute of Nutritional Sciences a Chairman of the National Research Council—Food and Nutrition Board's Committee on Recommended Dietary Allowances, has called the label statement "objectionable and misleading," a viewpoint shared by most nutritional and medical authorities as well as some government officials.

George Mehren, Assistant Secretary of Agriculture said that the statement is inaccurate, adding, "It will give the consumer a false sense of security that, regardless of his food habits, he will have an adequate diet."

He further cites the most recent nationwide survey indicating that "48 per cent of households have diets that do not fully meet the NAS-NRC recommended dietary allowances in one or more nutrients."

At stake in this controversy are the results of long years of research devoted to improving American health. The FDA stand that "vitamins and minerals are supplied in abundant amounts by the foods we eat" confuses what we might eat with what we do eat. It is vital to the public interest that this error does not reverse the painstaking progress made in nutritional insurance through supplementation with vitamin-mineral preparations.

Supplements are insurance against inadequate consumption of vitamins and minerals. It would be ideal to pinpoint supplementation to those individuals who specifically need it—and then only at the time when the need exists—this is neither practical nor economical. To accomplish such a program, dietary histories, clinical examinations, and biochemical tests would have to be run on every man, woman and child—not once but every time there was an appreciable change in menu or conditions. The surest and least expensive alternative is simply the use of vitamin and mineral supplements every day. Any opponent of this concept must be prepared to propose an alternative which is superior—none has been forthcoming.

Supplementation may be a forerunner of broader nutritional progress for the entire world. Malthus' dire predictions about world population outrunning the food supply are liable to be confirmed in the foreseeable future, and the time may come when many people may have to obtain their total nutrition in forms unlike foods as we know them today.

However unappetizing a prospect this may be, its rationale will be similar to that of present-day vitamin and mineral supplementation—supplying necessary nutrients in a reliable, economical, available form to people who want them.

IMMIGRATION REFORM ACT

Mr. FONG. Mr. President, after 1 year of experience under the historic Immigration Reform Act which Congress passed in 1965, statistics recently released by the Department of State show that immigration from all over the world has been more evenly distributed than under the old immigration law.

These figures show that 34.7 percent of all quota immigrants came from northern Europe, 32.5 percent from southern Europe, and 19.9 percent from Asia and the Pacific.

Undoubtedly, the new law has considerably eased the heavy backlog of immigrants coming from the extremely oversubscribed areas of the world—southern Europe, and the Asia-Pacific area.

I am tremendously encouraged by all of this evidence indicating the unmistakable progress we are making to cut the backlog and correct the gross inequities of our past immigration policies, as we celebrate the first anniversary of the historic Immigration Reform Act.

Among the key provisions of that law were: First, the elimination of the national origins system and the Asia-Pacific Triangle, which were harshly racially discriminatory; and second, allowing the reallocation of a pool of unused quota numbers from undersubscribed countries—mainly from Western Europe—to nations having huge backlogs of persons wishing to immigrate to the United States—largely in southern Europe and Asia-Pacific areas.

Although the Immigration Reform Act did not become effective until December 1, 1965, figures released in the annual report of the Visa Office of the Department of State's Bureau of Consular Affairs show that immigration from the Asia-Pacific area increased from 3,536 in fiscal year 1965—July 1, 1964–June 30, 1965—to 25,115 in fiscal 1966—July 1, 1965–June 30, 1966.

The fiscal 1966 figure of 25,115 for Asia and the Pacific counts only quota immigrants and does not include nonquota immigrants, immediate relatives, and other adjustments.

When these nonquota numbers are added to the quota figures, another aspect of the dramatic impact of the new law may be seen. These overall totals show that thousands of families were reunited last year as a direct result of the new law.

The total number of immigrants admitted in fiscal 1966, including quota as well as nonquota numbers, was 311,356—129,797 quota immigrants, and 181,386 nonquota. This compares with 287,679 in fiscal 1965—102,892 quota, and 184,787 nonquota.

Mr. President, I ask unanimous consent that table I of the Visa Office report, showing immigrant visas issued, adjustments of status, and refugees admitted or adjusted, for fiscal years 1962–66, be printed at this point in the RECORD.

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

TABLE I.—*Immigrant visas issued, adjustments of status, and refugees admitted or adjusted, fiscal years 1962–66*

	1962	1963	1964	1965	1966
Immigrant total	278,884	291,936	277,684	287,679	311,356
Quota	95,149	103,846	106,381	102,892	[1] 129,970
Visas issued	89,464	98,162	99,727	95,425	108,086
Adjustments [2]	5,685	5,684	6,654	7,467	14,684
Refugees [3]					7,200
Nonquota [4]	183,735	188,090	171,303	184,787	181,386

[1] Discrepancy of 173 between this table and table X.
[2] Adjustments of status: Aliens who entered the United States as nonimmigrants may, under certain circumstances, have their status adjusted to that of a permanent resident. Such an alien does not obtain an immigrant visa from a consular officer but is accorded permanent resident status at the discretion of the Attorney General subject to the availability of an immigrant visa number.
[3] Refugees: Conditional entries and adjustments of status provided in sec. 203(a)(7) of the Immigration and Nationality Act.
[4] Nonquota: Including symbol "K" visas issued pursuant to special public laws.

Mr. FONG. Mr. President, on the basis of these total figures, seven countries, which formerly had relatively small quotas, showed significant increases in 1966 admissions—quota and nonquota—from 1965, as follows:

	1965	*1966*
Greece	3,303	14,586
Italy	12,520	38,427
Portugal	2,277	15,802
China	4,773	21,285
India	668	3,179
Philippines	3,208	9,981

When nonquota is added to quota for the Asia-Pacific area, the figure is 38,373 for fiscal 1966.

These large increases reflect only the very large backlogs which developed for intending immigrants from southern Europe and from Asia and the Pacific—particularly from Asia and the Pacific—because under the old law, Asia-Pacific quotas were infinitesimal compared to those of other areas.

It is expected that next year, when these backlogs are cleared up, immigration from southern Europe and the Asi-Pacific area will level off.

The Asia-Pacific share of the total worldwide figure of the 129,797 quota immigrants who entered the country was 19.9 percent, or about one-fifth. Under the old law, quota immigration from the Asia-Pacific Triangle was limited to 2,390, or about 1.53 percent of the total.

I should note that persons of Asian and Pacific descent make up a mere 62/100 percent of America's total population, or about 1,100,000, persons, according to the 1960 census.

Europe, of course, as in the past, continues to contribute the largest bulk of immigration to this country. The European total of 102,732 is 79 percent, or

nearly four-fifths, of all immigration to the United States.

Altogether, including nonquota, there were 120,584 immigrants from Europe.

Immigration from northern Europe—including such nations as Britain, Germany, Ireland, and the Scandinavian countries—totaled 45,099 out of 119,467, leaving 74,388 numbers to be allocated to the pool. Thus, northern Europe's share of the worldwide total was 34.7 percent, more than a third.

Southern European immigration totaled 42,259—32.5 percent of the worldwide total, nearly one-third. These immigrants came from countries such as Italy, 20,000 quota, 4,967 nonquota; Greece, 6,583 quota, 2,336 nonquota; Portugal, 7,383 quota, 1,634 nonquota; and Yugoslavia, Hungary, Rumania, Bulgaria, and Spain.

Huge backlogs also plagued these southern European nations, so that they drew heavily from the pool of unused quota numbers—31,960 numbers.

According to the State Department figures, of the 25,115 quota immigrants from Asia and the Pacific, 3,217 were drawn from quotas under the old law, and 21,844 were from the pool of unused quota numbers.

The largest groups of Asia-Pacific quota immigrants came from four nations and the South Pacific, in the following order:

First. Immigrants from China totaled 12,821, with 100 quota numbers and 12,721 from the pool—about half of the Asia-Pacific total.

Second. Immigrants from the Philippines totaled 3,186, with 100 quota numbers and 3,086 from the pool—about 13 percent of the Asia-Pacific total.

Third. Immigrants from India totaled 2,071, with 100 quota numbers and 1,971 from the pool—about 8 percent of the Asia-Pacific total.

Fourth. Immigrants from Japan totaled 786, with 185 quota numbers and 601 from the pool—about 3 percent of the Asia-Pacific total.

Fifth. Immigrants from the South Pacific totaled 685, with 475 quota numbers and 210 from the pool—about 2.7 percent of the Asia-Pacific total.

According to State Department figures, the allowable quota for Europe was 149,472, but only 69,677 of these numbers were used. The remaining 79,795 was allocated to the pool, from which mainly southern Europeans drew 33,055.

Total immigration from Europe was 102,732 for fiscal 1966.

The quota for Africa was 4,274, of which only 1,156 was used; 3,118 went into the pool, from which was drawn 712.

African immigration totaled 1,868.

Worldwide, of a total of 158,411 annual allowable quota under the law, 129,797 immigrants were admitted in fiscal year 1966; 74,186 visas were issued to authorized areas, and 84,225 unused numbers were placed in a pool—out of which 55,611 quota visas were issued to oversubscribed areas.

Mr. President, I ask unanimous consent that table X of the Visa Office report, showing the use of immigrant visa numbers by country or area of birth or quota chargeability for fiscal year 1966, be printed at this point in the RECORD.

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

TABLE X.—*Use of immigrant visa numbers (by country or area of birth or quota chargeability), fiscal year 1966*

Quota area	Annual quota	Quota numbers		Pool numbers used	Total numbers used [1]
		Used	Not used		
EUROPE					
Albania	100	100		57	157
Andorra	100		100		
Austria	1,405	866	539	2	868
Belgium	1,297	751	546	3	754
Bulgaria	100	88	12	137	225
Czechoslovakia	2,859	1,319	1,540	81	1,400
Danzig, free city of	100	76	24		76
Denmark		855			855
Greenland					
Total	1,175	855	320		855
Estonia	115	73	42		73
Finland	566	353	213		353
France		2,201		8	2,209
French Guiana		1			1
Guadeloupe		69			69
Martinique		46			46
Reunion					
Comoro Islands					
French Polynesia		11			11
French Somaliland		1			1
French Somaliland and Antarctic territory					
New Caledonia		1			1
St. Pierre and Miquelon		6			6
Wallis and Futuna Islands					
New Hebrides					
Total	3,069	2,336	733	8	2,344
Germany	25,814	12,936	12,878	4	12,940
Great Britain and North Ireland		19,277		3	19,280
Aden		78			78
Antigua		152			152
Bahamas		100			100
Barbados		327			327
Basutoland					
Bechuanaland					
Bermuda		85			85
British Guiana		354			354
British Honduras		310			310
British Solomon Islands					
British Virgin Islands		186			186
Brunei		1			1
Cayman Islands		61			61
Dominica		87			87
Falkland Islands					
Fiji Islands		195			195
Gambia		1			1
Gibraltar		15			15
Gilbert and Ellice Islands					
Grenada		159			159
Hong Kong		641		12	653
Maldive Islands					
Mauritius		3			3
Montserrat		90			90
Great Britain and North Ireland—Continued					
Pitcairn Islands					
St. Christopher, Nevis, Anguilla		139			139
St. Helena		2			2
St. Lucia		78			78
St. Vincent		92			92
Seychelles		19			19
Southern Rhodesia		58			58
Swaziland					
Turks and Caicos Islands		2			2
Zanzibar		6			6
Total	65,361	22,518	42,843	15	22,533
Greece	308	308		6,275	6,583
Hungary	865	794	71	294	1,088
Iceland	100	56	44		56
Ireland	17,756	2,998	14,758		2,998
Italy	5,666	5,666		14,334	20,000
Latvia	235	146	89		146
Liechtenstein	100	7	93		7
Lithuania	384	245	139	9	254
Luxembourg	100	54	46		54
Malta	100	100		151	251
Monaco	100	6	94		6
Netherlands		2,021		1	2,022
Netherlands Antilles		100			100
Surinam		70			70
Total	3,136	2,191	945	1	2,192
Norway	2,364	1,455	909		1,455
Poland	6,488	6,488		511	6,999
Portugal		438		6,945	7,383
Angola				3	3
Cape Verde Islands				196	196
Macao				124	124
Mozambique				2	2
Portuguese Guinea					
Portuguese India				4	4
Portuguese Timor					
Principe and Sao Tome					
Total	438	438		7,274	7,712
Rumania	289	289		1,118	1,407
San Marino	100	90	10		90
Spain		250		768	1,018
Fernando Po					
Ifni					
Rio Muni					
Spanish Sahara					
Total	250	250		768	1,018
Sweden	3,295	1,773	1,522		1,773
Switzerland	1,698	1,441	257	1	1,442

See footnote at end of table.

TABLE X.—*Use of immigrant visa numbers (by country or area of birth or quota chargeability), fiscal year 1966*—Continued

Quota area	Annual quota	Quota numbers		Pool numbers used	Total numbers used [1]
		Used	Not used		
U.S.S.R.	2,697	1,669	1,028	61	1,730
Yugoslavia	942	942		1,951	2,893
European total	149,472	69,677	79,795	33,055	102,732
ASIA					
Afghanistan	100	26	74		26
Arabian Peninsula	100	26	74		26
Asia-Pacific [2]	68	68			68
Bhutan	100		100		
Burma	100	100		81	181
Cambodia	100	11	89		11
Ceylon	100	74	26		74
China	100	100		12,721	12,821
Chinese persons [3]	105	105			105
Cyprus	100	100		142	242
India	100	100		1,971	2,071
Indonesia	200	200		51	251
Iran	100	100		268	368
Iraq	100	100		407	507
Israel	100	100		340	440
Japan	185	185		601	786
Jordan	100	100		82	182
Korea	100	100		440	540
Kuwait	100	1	99		1
Laos	100	8	92		8
Lebanon	100	100		186	286
Malaysia	400	176	224	1	177
Muscat and Oman	100		100		
Nepal	100	5	95		5
Pakistan	100	100		190	290
Palestine, Arab	100	100		532	632
Philippines	100	100		3,086	3,186
Saudi Arabia	100	7	93		7
Syria	100	100		76	176
Thailand	100	92	8	1	93
Turkey	225	225		457	682
Vietnam	100	100		1	101
Yemen	100	87	13		87
Asian total	3,883	2,796	1,087	21,634	24,430
AFRICA					
Algeria	574	123	451		123
Burundi	100	4	96		4
Cameroon	151		151		
Central African Republic	100	1	99		1
Chad	100		100		
Congo (Brazzaville)	100		100		
Congo (Kinshasa)	100	15	85		15
Dahomey	100		100		
Ethiopia	100	64	36		64
Gabon	100	1	99		1
Ghana	100	74	26		74
Guinea	100		100		
Ivory Coast	100	1	99		1
Kenya	100	80	20		80
Liberia	100	58	42		58
Libya	100	68	32		68
Malagasy Republic	100	4	96		4
Malawi	100	4	96		4
Mali	100		100		
Mauritania	100	3	97		3
Morocco	100	100		104	204
Niger	100		100		
Nigeria	149	99	50		99
Rwanda	100	7	93		7
Senegal	100	4	96		4
Sierra Leone	100	16	84		16
Somali Republic	100	5	95		5
South Africa, Republic of	100	100		99	199
South West Africa	100	7	93		7
Sudan	100	65	35		65
Tanganyika	100	18	82		18
Togo	100	2	98		2
Tunisia	100	79	21	24	103
Uganda	100	16	84		16
United Arab Republic	100	100		485	585
Upper Volta	100		100		
Zambia	100	38	62		38
African total	4,274	1,156	3,118	712	1,868
NORTH AMERICA					
Jamaica [2]	35	35			35
Trinidad and Tobago [2]	47	47			47
North American total	82	82			82
OCEANIA					
Australia		100		156	256
Christmas Island					
Cocos Islands					
Papua					
Total	100	100		156	256
Nauru	100		100		
New Guinea	100	1	99		1
New Zealand		100		11	111
Cook Islands					
Total	100	100		11	111
Pacific Islands	100	100		43	143
Tonga, Kingdom of	100	96	4		96
Western Samoa	100	78	22		78
Oceania total	700	475	225	210	685
Grand total	158,411	74,186	[4]84,225	55,611	129,797

[1] The total amount of visa numbers used necessarily differs from the total volume of visas issued since the latter include unused issued visas from which the numbers were recaptured in accordance with sec. 206 of the act.

[2] Quotas abolished on Dec. 1, 1965, the effective date of Public Law 89-236.

[3] Numbers transferred to the quota for China upon the abolition of the Asia-Pacific triangle provisions under Public Law 89-236.

[4] This total constitutes the immigration pool for fiscal year 1967.

Mr. FONG. Mr. President, among the many thousands of cases in which immigrants benefited under the new law are the following:

A native of Poland, admitted to this country as a displaced person and then naturalized, finally located his parents—who were living in the Soviet Union. The new act permits parents of citizens to be admitted without any numerical restriction, and their visa applications were quickly approved.

A native of China was admitted to the United States and saw his brother for the first time in 42 years. He was a resident of Hong Kong and faced a long wait for a quota number. But since the new law provides that unused quota numbers from other countries will be reassigned to those with long waiting lists, he got one.

A skilled electrical engineer, working on research projects sponsored by the U.S. Air Force, faced an uncertain future. He was from Korea, the quota of which was very oversubscribed. The new law enabled him to become a permanent resident, because he had a profession which the Department of Labor had determined to be in short supply—in other words, he would not be filling a job which an American would have had.

A physician from Lebanon had performed noted heart surgery and research since coming here in 1959. Because the old quota for Lebanon was filled, he could not become a permanent resident—until the new law went into effect in December 1965.

A physicist from Italy now at work in a satellite tracking project, and a doctor from Japan who was a distinguished teacher and specialist in diseases of the ear, were also permitted to stay in the country under the new law.

Mr. President, our Nation has been the great pilot demonstration of the most influential principles and ideals in history. The American philosophy of the inherent equality of all men, regardless of race, creed, color, or national origin is an ideal worthy of our great Nation.

I am overjoyed that at long last, in our immigration policies and laws, we are living up to that ideal, and that all the world can continue to look to America as the bastion of freedom and opportunity.

A. WILLIS ROBERTSON

Mr. ERVIN. Mr. President, last fall Senator Robertson, then chairman of the Committee on Banking and Currency, went to San Francisco to address the American Bankers Association. While at that meeting, he spoke first at the national bank division on October 24, and then at the second general convention session on October 26.

Senator Roberston was introduced to the American Bankers Association General Convention Session by Mr. Archie K. Davis, immediate past president of the American Bankers Association and chairman of the board of the Wachovia Bank & Trust Co., of Winston-Salem, N.C. It was a privilege for Mr. Davis to present Senator Robertson to this distinguished group, and it is a privilege for me to make available to the Senate and the country the tributes to Senator Robertson and Senator Robertson's remarks.

Accordingly, I ask unanimous consent that the remarks made at the national bank division meeting of the American Bankers Association on October 24 and

the remarks made at the second general convention session on October 26 be printed at this point in the RECORD.

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

RECOGNITION OF SENATOR A. WILLIS ROBERTSON, DURING THE SECOND GENERAL CONVENTION SESSION OF THE AMERICAN BANKERS ASSOCIATION, OCTOBER 26, 1966, BY PAST PRESIDENT ARCHIE K. DAVIS

Mr. DAVIS: Ladies and gentlemen, as this convention draws to a close, it is our high privilege to welcome and to pay tribute to a great American. By any standard of measurement, our honored guest has led a remarkably successful life.

He is now completing 50 years of continuous public service. He has served seven years in the Virginia State Senate, four years as Commonwealth's Attorney for Rockbridge County, six years in the Governor's Cabinet of the Commonwealth, fourteen years in the House of Representatives of the United States Congress, and twenty years as United States Senator from Virginia.

He has served in Congress longer than any other Virginian in the history of that great Commonwealth save and except for Howard Smith.

Our honored guest today has never been repudiated on a single issue in his native state. In his remarkably long career of public service, he has achieved great distinction in the field of taxation, trade and banking.

In the House he was one of the outstanding champions of the whole reciprocal trade agreements. He co-authored and assisted in the preparation of twelve tax bills including those bills which financed our participation in the Second World War.

In the Senate, he was the author of the Financial Institutions Act of 1957. In my judgment and in the judgment of many, this is the greatest single piece of banking legislation in this century, except perhaps for the creation of the Federal Reserve by our distinguished Senator's associate from Virginia.

He has served as Chairman of the Banking and Currency Committee since 1959. I think it is a matter of documented evidence that since that date not one single bill that has been reported out favorably by his committee has been repudiated by the Senate, nor has there been a major revision of a single bill reported out by that committee.

He serves as Chairman of the Joint Committee on Defense Production in the Senate and is Acting Chairman of the Defense Appropriations Subcommittee.

The accomplishments and the successes of this distinguished citizen, as great as they have been, are not necessarily the true mark of the man but rather in my judgment the real man is to be found in his deeply religious background, in his rare sense of duty and obligation and in his genuine dedication to public service, and in his continuing and endless pursuit of the ideals of a true patriot.

The fact that he has been a public servant for fifty years constantly exposed to the glare of publicity, accountable always to the people, constantly involved in the legislative process which, as you well know, requires that delicate balance between political pragmatism and principle without the sacrifice of principle.

There has never been a question about where this public servant stands. There has never been a question about his courage under fire, nor of his determination in pursuit of worthy goals and of the manner in which he handles power with true humility.

These are the marks of a great man and of a good man and of a man of character. I feel that it is coincidentally appropriate that I should have this privilege today of paying tribute to a great Virginian. You see, we in North Carolina have been nurtured in the art of paying tribute for nigh, well now over 300 years.

Of late some of my banker friends in Virginia have felt that I was drifting away from a proper position of deference to my friends in the state just to the north. I think that is the only explanation for their unprecedented support of my candidacy as President of the American Bankers Association about two years ago.

They were aware of the fact that the President must travel the country, that he must see and that he must learn from observation.

May I say I have traveled; may I say I have learned; and now I can say that I do know that the oldest, the first permanent English settlement in America was at Jamestown, Virginia, that the Father of Texas was none other than Stephen F. Austin of Virginia, and when that great state became involved with Mexico to the South, it was none other than a Virginian, Sam Houston of the Senator's own county, Rockbridge County who came to their rescue in the great battle of San Jacinto.

I know it was George Rogers Clark of Albemarle, Virginia who was the great defender of Kentucky and the conquerer of the Northwest. I know for instance that James Rumsey of Virginia was the first to operate a steamboat successfully. It was not Robert Fulton of New York.

I know that it was Lewis and Clark, also of Albemarle County, also of Virginia, who explored the Great Northwest. They were the first white men to see and explore the great state of Idaho. I know that the first white man to be buried in the soil of Iowa was Sergeant Floyd of the Commonwealth of Virginia. He was attached, Senator, to the Lewis and Clark Expedition.

I know that Daniel Boone who was born and raised within fifteen miles of my home in the great state of North Carolina was a North Carolinian, but I have now been to Fort Defiance, Missouri. That is where his mortal remains rest. That was the site of his last home and the historic marker says of Daniel Boone that he spent practically all of his life, without mention of North Carolina, he spent practically all of his life in Kentucky and Pennsylvania and that the historic objects and artifacts and furniture in his home which is restored and preserved there in Fort Defiance came from his ancestral home in Virginia.

Then only two months ago I learned that in order to acquire a bride, he had to go to Fincastle, Virginia, in order to get his marriage license, Senator.

I now know if there were to be three future Presidents of the United States engaged in a battle on American soil it had to be in Virginia.

As a matter of fact, it was just about eleven miles north of Salem, Virginia, known as the Battle of Hanging Rock, and there participating in the battle were Rutherford B. Hayes, James A. Garfield and William McKinley—all future Presidents of these United States.

Now, Senator, I have taken the liberty of indulging in these historic thoughts for the simple reason that I might make a confession, if I may say, to purify my soul so that I may pay proper tribute to a great Virginian and at the same time explain why, Senator, we continue to hold onto twenty square miles of territory that lie just above the parallel of 36 degrees, 30 minutes that divides the Commonwealth of Virginia from North Carolina.

Ladies and gentlemen, that piece of land has been under dispute and under litigation for 300 years. Only in January of 1965 as recently the Governor of Virginia and the Governor of North Carolina named the 8th Joint Commission hopefully to see if they could resolve that dispute.

I would only say by virtue of the comments I have made about the great history of Virginia that, Senator, that is North Carolina's chief claim to fame. North Carolina owns twenty square miles of the sacred soil of Virginia, and we don't aim to release it.

Senator, will you join me here.

[The audience arose and applauded.]

Senator, on behalf of your many friends in The American Bankers Association and friends all over this nation it is a rare personal privilege for me to present to you this tray as a token of our commendation and of our love and our affection for a great statesman, a great Virginian and a great American, and on this tray is inscribed the following:

"To the Honorable A. Willis Robertson, United States Senator from the Commonwealth of Virginia, Chairman, Senate Banking and Currency Committee, in recognition of his thirty-four consecutive years of distinguished service to the nation as a member of the United States Congress and in tribute to his profound and courageous advocacy of sound financial legislation, presented on behalf of the Banking Community at the 92nd Annual Convention of The American Bankers Association, San Francisco, California, October 26, 1966."

Ladies and gentlemen, the distinguished Senior Senator from the Commonwealth of Virginia, the Honorable A. Willis Robertson.

[Applause]

REMARKS OF THE HONORABLE A. WILLIS ROBERTSON, U.S. SENATOR FROM THE STATE OF VIRGINIA, CHAIRMAN, BANKING AND CURRENCY COMMITTEE

Senator ROBERTSON. Mr. Chairman, Mr. President, Mr. Former President, honored guests, ladies and gentlemen: This is a happy moment in my life.

Think of a mountaineer who has lived in the shadows of the Blue Ridge Mountains all of his life, who thought a bank was a large institution if it had a capital of $100,000. Being given the tribute of the bankers of the greatest nation in the world as having made some contribution to the banks in the billion dollar class as well as to those in the thousand dollar class, I shall always treasure the memory of the twenty years that I have been privileged to work for and with you.

I feel I can say with Kipling:

"I have eaten your bread and your salt
I have drunk your water and wine
That death shall die once beside
The lives you lived have been mine."

If I have been able to learn anything about the principles of banking, it is due to the fact that in my opinion the type of honesty we need in the small country banks is the type we need in the big city banks. The type of sound money we need in the country banks is the type that all bankers need.

And the private enterprise that has permitted the United States to have the only free banking system in the entire world—think of that—the only really free banking system in the world—is needed in the metropolitan areas as well as in our country areas.

I have no words to adequately express my deep appreciation of the more than kind and generous and flattering introduction that has been given to me to this fine audience. I can assure my friend Archie we appreciate North Carolina more than he realizes.

We know that while the first permanent settlement of Jamestown, there was a settlement down at Madeo. The Indians wiped it out and all we have left of that memory is a Scuppernung Virginia Dare Wine named for the first little white girl born in the United States.

Of course, we are proud of George Washington. As Archie said, Virginia has sent some really great men to Texas—it is a great state—Austin—Sam Houston.

Well, we couldn't let Texas claim Washington. You know this fellow from East

Texas says Washington's father used to live in East Texas and he went out in his backyard one day and he found somebody had chopped on his cherry tree. He called little George and said, "George, did you chop on my cherry tree?"

He said, "Pop, you know I can't tell a lie."

Pop said, "George, if you can't tell a lie, Texas is no place for us; we will move to Virginia."

[Laughter and applause]

But, oh, how we have cherished this neighbor of North Carolina. They have not understood us when somebody down there is speaking of South Carolina on one side and Virginia on the other side. "North Carolina is the valley of humility between two mountains of conceit."

Well, I hope we don't feel that way. Of course, about Virginia, it may be like the old man in Mississippi told Senator Stennis, he said, "Senator, I am going to write a fair and impartial history of the war between the states—from the southern viewpoint." (Laughter.)

Now, I hope we are not proud of what we are not entitled to be proud of. Some people think this old man from Virginia was not unduly proud of his folks when he went to the Baptist bishop and the Baptist preacher read "The kingdom of heaven was like the lamps of the ten Virginians who went forth to fete the bridegroom, and five of them wise and five of them were foolish.

"Would you be good enough to recapitulate" the Virginian asked. The preacher replied—"That number was ten from Virginia who went forth to fete the bridegroom—five were wise and five foolish."

He said, "Brother, the scripture lesson doesn't sound familiar. I don't want you to think I question anything in the Good Book, but it seems to me the percentage of foolish Virginians was too high."

North Carolina followed Washington in battle and it was the battle of Cowpens and Guilford and under Morgan in the long drives that drove the British under Cornwallis under that peninsula at Yorktown where they expected to rendezvous at the French fleet and that is where Washington won his victory.

He won a victory for us on land. He was a moving spirit for the adoption in Philadelphia, the greatest instrument ever struck off by the hand of man. He was unanimously chosen to be pilot of our ship of state when it was launched upon the troubles of international waters of international conflict and he gave us some good advice and we have deliberately ignored his advice.

He said, "Don't become entangled in the wars of other nations."

My goodness alive, I went over to Europe in 1949 to investigate the Marshall Plan. I came back and said it was just being wasted, we ought to cut it a billion dollars and end it in two more years. They cut it a billion dollars and in two more years they changed the name and it went bigger and better from there on.

Now we are committed, as the first great speaker said this morning, to a war and we don't know where the end is or how we are going to get out.

Now, in that war, it is like this little church out in Virginia where the preacher from the city came out to preach and somebody yelled "Fire!" And they started out the windows and door. There was a curtain behind the pulpit. The preacher thought he would make it a leisurely exit out the back door and found a blank wall. He said, "Dammit, there is no back door in this church."

We can either lay down and play dead or fight our way out of Vietnam. We have 325,000 men there—3,000 a month—it is costing us two billion dollars a month and it will go up another billion dollars.

Now, the first speaker said we ought to either cut down our spending or increase our taxes or do both if we are going to finance this war. Make no mistake, they gave us an estimate of expenditures early in the year of $115 billion, 700 million.

A Wall Street Journal said we cut it $650 million. I think it would be nearer to say we cut it about $400 million, but we added back-door financing that totaled about $3 billion.

The July estimate of the Department of the Treasury was that the revenue would be $111 billion. The Joint Committee on Internal Revenue Taxation last month said $116 billion and they tell me that the Director of the Bureau of the Budget is now estimating perhaps $118 billion. And still we don't have a balanced budget.

As one speaker said, last year was our biggest year before we got into all of this war spending and we didn't balance the budget then. We had ten years of prosperity. If you don't balance the budget in your period of great prosperity, when will you? An Echo answers, "Never."

The first speaker, head of the biggest business organization in the world, head of a great oil company, he said, "We ought to increase taxes or cut expenditures or do both."

The exponents of the great society say we ought to increase spending and decrease taxes. My friends from Florida, particularly Henry Coleman, will tell you, if you ask them, this story he likes to tell and I promised I would tell it to you for his benefit.

It has barnacles, but I will tell it anyway. This elderly preacher was preaching, "God created heaven and earth and grass grew over the face of the earth. And God said, 'Let there be light.' And there was light. And God created the seas, the land, the trees, the flowers, the birds and bees, shrubs, but God was not satisfied and he wanted a man. So God created Adam, the first man and made him out of mud and set him up against the fense to dry."

At that point, a false friend from the rear said, "Wait a minute, parson, did you say Adam was the first man?"

He said, "Yes, brother, that is what the Good Book says and that God created him out of mud and set him up against the fence to dry, that is what God did.

The false friend said, "Parson, who created the fence?"

The preacher said, "Brother, them is the kind of questions that hurt religion."

Well, I don't know what the answer is going to be to this inflationary problem, but I am telling you that we are definitely headed for expenditures of $10 billion next year above anticipated revenue even on the most optimistic basis.

Now, Mr. Wright said, if we don't take corrective measures we will have harmful inflation that may be followed by a recession. So I told a great audience here of the national bank Division Monday afternoon that I hope we don't have any such recession. I know if one comes in an election year they will knock the bung hole out of the Treasury before they let it happen and I told the bankers that if we do let inflation take the wings of the morning, with the possibility of some headache afterwards that would be called a recession, I wanted the bankers to be as brave as the old soldier from Georgia who was serving under Lee at Appomattox when they were blown up by a mine. He was telling his grandchildren about it, and he said

"Boys, when we were blown way up in the air we passed our captain coming down and he hollered to us, 'Rally boys, as soon as you hit the ground.' "

You are a great organization. I have enjoyed working with you. Archie told you that I had never had a bill repudiated. Well, you know, some people call politics the art of the possible, and after you have served for six years in the State Senate and 34 years in the Congress, you learn some things about the technique of legislation and you get an idea of what to leave out of a bill if you want to put it through. (Laughter.)

I am glad my name is connected with some bills which were helpful to the bankers and proud of that record. I hope that before the Congress overhauls and enacts a whole system of new laws and regulations for you, that you will give some of our new laws a chance to be tried out, because I think they might operate successfully.

I don't think that we have reached a perfect banking system, but I do say you are meeting the challenge of your day and generation.

You have financed the biggest developments that the world has ever seen.

I believe you are going to meet the challenge of the future, whatever it may be. I would be false to every impulse if I did not acknowledge the leadership in this period that is being given by the great State of Oklahoma where your new president, Jack Conn, comes from. I think Bob Kerr is one of the greatest men I ever served with in 34 years. He was a leader in the Senate when he was suddenly taken with heart trouble.

I used to play college football. I played every game for two years as tackle without a substitute, I admire Bud Wilkinson's winning teams there in Oklahoma.

Now, you send us the leadership of the ABA in Jock Conn—well, before that, one of your girls from Oklahoma won the beauty contest.

President CONN. Not me.

Senator ROBERTSON. One of your Oklahoma girls won it. I love to hunt and fish but I want everybody to know that I admire nature in all of her visible forms. (Laughter.)

Then in this economic situation here you furnish the leadership of the biggest banking organization in the world and the leadership of the biggest business organization in the world.

Well, what a change from the days of Carter Glass. Back in 1934 frankly I may not have known what best to do but I voted to revalue the gold and silver. We were in the Great Depression and I thought money had just gotten too tight.

Carter Glass did not agree with me. A man from Oklahoma who was then teaching at Cornell, a great school, was a leader in recommending a revision of gold and silver.

Carter Glass got peeved with him and he said, well, the Doctor used to be a professor of agronomy at the University of Oklahoma and he knows more about manure than money. But Oklahoma soil has changed. You are giving us national leadership and we are proud of it and I am happy to say may God smile on us.

I am not going to say good by to this group with whom I have worked for so long. I am merely going to say until we meet again.

I want to emphasize this one thing—the war is serious, inflation is serious, but disrespect for law can be more serious to us in the end than anything else.

We have the power to win this war and I am for winning it. I don't believe in just staying over there. (Applause.)

We have got the knowledge and I hope the courage to win the war against inflation and I am for winning that war, but I want to tell you that this business of disrespect for law and order—I attended a meeting at Teheran some weeks ago and heard a wonderful address by the speaker of the House of Commons and he says the hallmark of a good society is the supremacy of the law, a law separated from politics, a law which all citizens are equal.

He said that is what Magna Carta means to the British. I said the same principles are in our Constitution if we recognize it.

I am disturbed by the crime rate and the disrespect for law. Those are things that you bankers have to face up to—inflation, the war, and this trend to moral degeneracy.

One of the greatest men I have ever been privileged to know was Woodrow Wilson. I served under him when he was my Commander-in-Chief in World War I. His heart was broken when we turned to materialistic things and rejected the League of Nations and the World Court and things of that kind.

In September 1923, Wilson wrote a piece called, "The Road Away from Revolution." In this article he said, "The sum of the whole matter is this, our civilization cannot survive materially unless it be redeemed spiritually. It can be saved only," he said, "by becoming permeated with the spirit of Christ and being made free and happy by the practices which spring out of that spirit. Only thus", said he, "can discontent be driven out and all these shadows lifted from the road ahead."

My friends, the Great God of Hosts be with us yet, lest we forget—lest we forget. I thank you.

(Standing Ovation.)

President CONN. Senator, the applause of this audience bespeaks our feeling, and our heart. Now you know why he is perhaps the greatest chairman of the Senate Banking and Currency Committee we have ever had. We are honored beyond words to express to you our sincere appreciation for your presence here this morning.

RECOGNITION OF SENATOR A. WILLIS ROBERTSON DURING THE NATIONAL BANK DIVISION MEETING IN SAN FRANCISCO, CALIF.—OCTOBER 24, 1966

Comptroller of the Currency SAXON. I would like to say one world about a man who has been a key factor over many years and who really originated the reform which I have carried out, Senator A. Willis Robertson. (Applause.)

It was his interest in the original Financial Institutions Act in 1956 which began the process of change which the Senator recognized we must have if we were to have an effective and moving banking system.

I had the privilege of serving with him and the banking committee which he appointed as assistant counsel and secretary.

None of us can ever repay to Willis Robertson the debt we owe him, not because he ever specifically favored this industry against others, but because of the healthy, constructive attitude he always took to all types of institutions within the perspective and responsibility of his committee.

President HINKLE: Any banker faced with the task of introducing our next guest speaker would certainly be torn by conflicting sentiments, and I am no exception. At one and the same time, I am proud to have this opportunity to make the introduction and sad because the man I am introducing is ending a long and distinguished career of public service.

Let me be very candid for a moment. The American Bankers Association, the banking community, you and I, are losing a most effective, articulate, dedicated disciple of sound banking practices alive today. We are saying good-bye to a friend who has on innumerable occasions protected our industry from those who would have undermined it, whether intentionally or not. This man will be difficult to replace in the Senate of the United States and as Chairman of the Senate Banking and Currency Committee. He will never relinquish his place in our memories. Senator A. Willis Robertson has done too much to make commercial banking the vital, vibrant industry it is today to be ever forgotten by any of us. His contributions to us over the past quarter of a century are too numerous to detail but just let me note two of the highlights. If he had done nothing else, his authorship of the Financial Institutions Act of 1957 and the Bank Merger Acts of 1960 and 1966 would have sufficed to assure his reputation.

The Financial Institutions Act, even though it was never enacted in its unit form, is probably the most significant banking measure of our time. In the decade since its introduction, many of its sections have been adopted into law and it continues to furnish the basis for proposals to codify and modernize the laws under which financial institutions operate.

The second issue concerns banks mergers. In 1960 under Senator Robertson's able direction Congress passed a law that everyone thought would end the confusion surrounding bank mergers. Because of certain court decisions, however, the situation again became chaotic and some 2,000 mergers were placed in jeopardy. In the face of overwhelming odds, Senator Robertson went to work and this year achieved clarifying amendments placing bank mergers in their proper legal perspective.

We can never adequately thank this man for what he has done for all of us. All we can do is wish him many, many years of health, happiness, and that good hunting and fishing he loves so much but for which until now he has had so little time.

It is with pleasure, sincere pleasure, and a little sadness that I give you a very great man, the Honorable A. Willis Robertson.

(The Audience arose and applauded)

Now, Senator, as a very small token of our appreciation, we would like to present you with this portrait, on my left and on the audience's right, the inscription of which reads as follows:

"A. Willis Robertson of Virginia, United States House of Representatives, 1932–1946 United States Senate, 1946–1966 Presented with esteem and gratitude by the National Bank Division, American Bankers Association, October 24, 1966." (Applause)

ADDRESS BY HON. A. WILLIS ROBERTSON, CHAIRMAN, BANKING AND CURRENCY COMMITTEE, U.S. SENATOR, VIRGINIA

Senator ROBERTSON. Mr. President, Honored Guests, Members of a great financial group, I have no words to adequately express my deep and sincere appreciation of the high honor which you have just paid me and of the more than kind introduction you have given me to this great audience.

I don't deny that I have a manuscript. Some of you know I really like to talk in what I call my native tongue. I have a funny kind of memory—if I don't write it out I can remember it and if I do, I can't, but when they write you, "Please send us three copies of what you are going to say one week or ten days in advance," you have to write it out.

I know that I am going to violate the principle of the congressman who came down into the hills of Virginia. He read a speech for a solid hour and everybody walked out on him, except one old farmer, and the Congressman said to the old farmer, "I hope you like my speech." The farmer said, "Congressman, let me tell you something. If you didn't know what you were going to say well enough that you had to read it, how the hell do you think I am going to remember it."

To emulate the example of my distinguished friend who preceded me, I appreciate his treatment of me, and I want to say you have had the services for five years of an able lawyer, a skillful administrator of the banking laws. He has rendered you a great service and, in the words of St. Paul, "He has fought a good fight." I will put the emphasis on the "good." I will let some of the state officials emphasize the "fight." He has done a fine job for the national banks. I hate to see him go. And I am going to start out like he did without any glasses on.

Ladies and Gentlemen, I have been attending a lot of your conventions, and this is the biggest audience that I have ever been privileged to address. I have spoken to your National Bank Division, your State Bank Division, and once or twice to the General Assembly. This is a grand and inspiring audience, but I can't be unmindful of the fact of how many men in this audience know so much more of banking than I do and I am up here to tell you about banking and how I think you ought to prepare to meet the challenges of the future.

Well, I am soon going to be in the position of Mr. William Brown of Johnstown, Pennsylvania, who survived the great Johnstown flood.

When Mr. Brown passed to the great beyond, St. Peter met him at the gate and said, "I hope you are going to be happy in Heaven."

Mr. Brown said, "St. Peter, the thing that would make me happiest in Heaven would be to get a great audience together that I could tell about the great Johnstown flood."

St. Peter said, "That will be easy enough. We will have the audience for you at 11 o'clock tomorrow."

Mr. Brown said, "St. Peter, I am the happiest man in the world, to think I will have an audience to tell about the great Johnstown flood."

St. Peter said, "That is all right. Just remember this: Noah is in your audience."

[Laughter]

James Saxon worked with you for five years. I worked with him for 30 years. As a matter of fact, for the 34 years I have been in the Congress I have been connected in one way or another with fiscal and monetary matters. For ten years, I was on the House Ways and Means Committee studying taxes and things of that kind and then on the Appropriations and Banking and Currency Committees. I have been exposed to a lot of information about banking, and I would be awfully dumb if I had not learned something about it, but I realize there are so many things to be learned and so much that I don't know and I can't begin to express to you my deep feeling of gratitude for the kind and generous remarks about what I have done to promote the interests of the bankers.

My theme this afternoon will deal with the fact that there will be changing conditions, we will have new problems, but there are certain fundamental principles that do not change, and they are the principles that I want to see you bankers embody in your daily lives and carry forward into the generations that you will serve after I am dead and gone.

A month ago I was in Teheran, the capital of Iran, the ancient Persia, one of the greatest empires of all times, which extended from India even into Ethiopia. I was privileged to be a delegate from the American Congress to the Interparliamentary Union—a meeting of representatives of the bodies through which self-government is carried out in the democratic nations of the world.

At this meeting, Dr. Horace King, Speaker of the British House of Commons, one of the oldest of the parliaments of the world, paid a tribute to Iran and to Persia. After referring to the wisdom and tolerance of Cyrus the Great and other great men of Persia, he went on:

"And if the days of the great Persian Empire were days of absolute monarchy, they were also days when all were subject to the Law—the Bible speaks of the Laws of the Medes and Persians—when there was good government and when man, the individual, was respected. The hallmark of a good society is the supremacy of law, the separation of law from politics, and the equality of all citizens before the law. This is what Magna Carta means to Britain."

The importance of the Biblical references to the laws of the Medes and the Persians does not lie in the specific laws the Bible describes—the law which provided that Vashti should come no more before Xerxes and should lose her royal estates, or the law, decreed by Darius and violated by Daniel,

that anyone who prayed, during the next 30 days, to any God or man but Darius, should be cast into the den of lions. Certainly, these laws, and no doubt many of the other specific laws of the Medes and the Persians were foolish or evil—or so they seem to us. But this is not what is important in the Biblical stories.

What is important—and what Mr. Speaker King emphasized—was the principle stated in the Book of Daniel that "no decree or statute which the king establisheth may be changed," not even by King Darius himself, however, much he may have regretted his ill-advised decree. It was this respect for law, not the specific laws he decreed, which gave Darius reason to say in the great monument he erected that his God had brought him help "because I was not wicked, nor a liar, nor was I a tyrant, neither I nor any of my line. I have ruled according to righteousness."

Mr. Speaker King was right, too, when he pointed out that the principle that no man is above the law is based on respect for the individual. The supremacy of the law, the separation of law from politics, and the equality of all citizens before the law—the hallmarks of a good society—are all based on this respect for the individual.

Respect for the individual is a vital element in the basic principles of our society today—in Christianity and its Old Testament forerunner, in our democratic form of government, and in our free economic system.

As we look back at our history, and forward to future developments, we must remember how the Apostle Paul called upon the Corinthians to distinguish between things temporal and things eternal. We must distinguish between the basic principles of our society today, which we must preserve forever, and the application of those principles to current problems, which will vary from time to time.

That fundamental principle is illustrated in the growth and development of banking in the United States. It has been marked by many changes in the size and structure of the banking system, in the regulation of banking, and in the activities and functions of banks. But the principal purpose of the banking system has not changed, and neither has the moral code of personal conduct.

It is still true, as it was when Alexander Hamilton recommended the creation of a national bank in 1791, that banks should be "nurseries of national wealth." Over the years they have proved their ability to carry out this task. By channeling savings into productive investment, they have assisted in the financing of commerce and industry, and of government and the public generally; and by creating money, they have provided the bulk of the money supply needed to carry on the nation's financial transactions.

This has not, however, been an easy or uneventful process. It has involved experimenting with measures to cope with our changing problems. For instance, the careers of the first and second Banks of the United States, which attempted to fulfill the role of central banks, were marked by political and financial controversy, and the experiment was ended by Andrew Jackson amid charges of favoritism and monopoly.

The era of "free banking" which followed, when banks could be organized and could operate with virtually no control or supervision, was in effect a period of monetary anarchy. The bank notes issued freely by these banks flooded the country with excessive supplies of irredeemable money. The handicaps businessmen, the government, and the public suffered in trying to carry on their businesses are suggested by a description of bank notes in Hunt's Merchants' magazine for January, 1863:

"The frequently worthless issues of the State of Maine and of other New England States, the shinplasters of Michigan, the wildcats of Georgia, of Canada, and Pennsylvania, the red dogs of Indiana and Nebraska, the miserbly engraved rags of North Carolina, Kentucky, Missouri, and Virginia, and the not-soon-to-be-forgotten 'stumptail' of Illinois and Wisconsin . . ."

It was not until the National Currency Act and the National Bank Act were passed that we began to have an effective and workable currency and a countrywide system of banks that could provide adequate but restrained financial assistance to the nation's developing industry and commerce.

The national bank system was intended and expected to replace the state bank systems, particularly after a prohibitory tax was imposed on state bank notes. But the development of demand deposit banking provided unforeseen opportunities for the state banks, and as a result the dual banking system developed. In fact, in the 1920's, when state banks began to set up branching systems, it was feared that sweeping extension of state branch bank systems might jeopardize the continued existence of national banks. This threat was ended by the McFadden Act of 1927 and the Banking Act of 1933, which permitted national bank branching in accordance with the branch banking rules established by the various states.

The Federal Reserve System was established in 1913 in an effort to provide a more flexible money supply, adapted to the needs of a growing economy. The national banks, in spite of their advantages, did not have adequate facilities for providing either a growing or an elastic supply of money and bank credit. This system was revised somewhat in 1933 and 1935, and about the same time Federal Deposit Insurance was undertaken to safeguard the country's money from the risks and disasters that developed in the 1920's and came to a climax in the widespread bank failures of the early 1930's.

In recent years, much attention has been given to the problems of competition and concentration among commercial banks and to some extent among various deposit-type institutions. In the belief that banking was exempt from the antitrust laws, at least for all practical purposes, the Bank Holding Company Act of 1956 was enacted after 18 years of effort. This Act was intended to reduce the threat of undue concentration posed by large bank holding companies, sometimes crossing state lines. I am proud to have handled this bill in the Senate in 1955 and 1956, and I am proud to have handled the 1966 amendment which eliminated two major loopholes, made a number of administrative improvements in the law, and coordinated activities under the act with the antitrust laws.

I am also proud to have handled the Bank Merger Act of 1960, which for the first time gave clear authority to the Federal bank regulatory authorities to approve or deny bank mergers, on the basis of both competitive and banking factors.

When the Supreme Court handed down its unfortunate and erroneous decisions in the Philadelphia and Lexington, Kentucky, bank merger cases, I sponsored a bill, which became law early this year after a long and arduous legislative course.

The act wrote new rules, applicable both to the banking agencies in decisions under the Merger Act and to the courts in cases under the antitrust laws, which require the agencies and the courts to consider both competitive factors and the public interest.

This new law is now being considered by several courts—the recent decision in the Crocker-Anglo case is the first to be handed down. I trust the final result this time will be in accordance with the intentions and expectations of the Congress.

The whole field of banking and monetary policy has been under review for more than a decade. In 1956 I undertook a broad review of the laws applicable to banks and other financial institutions, with the help of an experienced and imaginative advisory committee.

The Financial Institutions Act of 1957, which grew out of this study, would have codified and brought up to date the entire body of law in this field. Although the bill, which passed the Senate, did not become law, virtually all its provisions have since been enacted in other bills.

In the past year or so banks have been faced with serious problems resulting from efforts to contain inflationary tendencies by monetary policies alone. Increasing demands, stimulated by the Viet Nam conflict, as well as by private credit expansion, have resulted in greater use of productive capacity and fuller employment, in rapidly increasing demands for credit, particularly by industry and by Federal and state governments, and in strong upward pressures on wholesale and retail prices.

The Federal Reserve Board has done its best to prevent these tendencies from resulting in an inflationary explosion, but needed, and should have had, help from the Government by a substantial reduction in domestic spending. Too late to prevent price increases and higher interest rates, will be a bill next year to increase personal and corporate income taxes.

What will the future bring? We are a growing nation, and obviously banking and other financial institutions will grow and develop—perhaps not as rapidly as in the past decade of unprecedented boom. We may expect improvements in mechanical and management processes, but no mechanical device can take the place of able, trained and dedicated leadership.

Even if we cannot foretell how banking will develop, we can make some suggestions as to the underlying principles which should guide this development within the framework of our free enterprise society, our democratic way of life, and our desire for growth and improvement in living standards.

The fundamental principle, of course, is that banking must continue to serve the changing needs of commerce and industry, of the government and the public. Banks must continue to be nurseries of national wealth and must continue to provide our country with a flexible money supply. Banking must constantly justify its existence by its service to the country and the people.

Banking must be competitive—competitive in its own field and competitive with other financial institutions—if it is to provide the best service to its customers. A multiplicity of banks, large and small, state and national, is an effective, practical guarantee of continued competition in banking.

Bankers must always recognize that they are the custodians of other people's money. Bankers must be responsible in the conduct of their own banks, and they must take responsibility for the conduct of other bankers and the entire industry.

Bankers should also undertake their share of responsibility, as bankers and as citizens, for good state and Federal banking laws and regulation and for sound fiscal and monetary policies.

On a broader scale bankers should, as bankers and as citizens, undertake their share of responsibility for management and labor, for politics and government, and for our free enterprise economy, and democratic way of life.

Bankers should be among the first to recognize the importance of the principles noted by Mr. Speaker King—the supremacy of law, the separation of law from politics, the equality of all citizens before the law, and above all respect for the individual—and they should be strong leaders in every effort to preserve and promote these indispensable aspects of our way of life.

While my official connection with your

operations will end on January 2nd, I am not going to say good-bye, but only until we meet again, because I shall always take an interest in everything that affects you.

Thank you.

[The audience arose and applauded.]

President HINKLE. It is always a pleasure to have Senator Robertson on our program and this year is no exception.

THE RHODE ISLAND HOSPITAL TRUST CO.

Mr. PELL. Mr. President, in this period of strain and change on the national scene, I am proud to salute an institution that has withstood the toughest tests of 100 years of service—the Rhode Island Hospital Trust Co. of Providence.

Mr. President, the Providence Sunday Journal Business Weekly, February 12, 1967, has described the many accomplishments of this fine bank which ranks 111th among the 300 largest banks in the United States.

Mr. President, I ask unanimous consent that the article be printed in the RECORD as noteworthy for our fellow Americans, all of whom are affected by the activities of institutions like the Rhode Island Hospital Trust Co.

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

HOSPITAL TRUST CO. MARKS 100TH YEAR OF GROWTH, SERVICE TO RHODE ISLAND

(By Joseph L. Goodrich)

If, as some say, the first hundred are the hardest, then Rhode Island Hospital Trust Co. should have some pretty smooth sailing in the years ahead.

This year is Hospital Trust's one hundredth. In retrospect, the bank grew substantially despite four national financial panics, the great depression of the 1930's, three major wars and two big hurricanes.

The bank, whose 100 years makes it New England's oldest trust company, is now the second largest commercial bank in Rhode Island and ranks 111th among the 300 largest banks in the United States.

Hospital Trust was chartered on May 29, 1867 by the General Assembly and although it did not open its doors for business until sometime in January, 1868, its corporate organization was established in 1867.

Its initial capitalization was $500,000. In spite of the rough going caused by the convulsions of the national economy, the bank was able to grow soundly and significantly. Today the bank has eight million dollars in $10 par value capital stock outstanding. Its capital accounts, which include capital stock, surplus, undivided profits and reserves, exceed 44.7 million dollars.

In this 100th year, growth is continuing. On Feb. 3 the bank's total assets went over the half-billion mark for the first time in its history. On that date the total was $505,217,000 or 19.1 million more than the total at the end of last year.

While the 505.2 million is only a one-day internal figure which would be subject to some adjustment for reporting purposes, nevertheless, it was accomplished without Federal Reserve Bank borrowing and Hospital Trust executives regard it as a significant milestone in the bank's growth.

Hospital Trust's 100th anniversary observance will be launched officially by Clarence H. Gifford Jr., president, at the bank's annual stockholders' meeting Thursday.

On that same day and for four weeks thereafter, the bank will place on display in its main banking hall an 1867 carriage borrowed from the Rhode Island Historical Society, and will display in its trust department, a large model of the steamboat Bristol, borrowed from the Newport Historical Society.

Next Sunday, the bank will sponsor a special anniversary supplement in the Providence Sunday Journal to focus public attention on the celebration.

These are the first in a series of 100th anniversary events which will be sponsored by the bank. One of the highlights will be the publication late in May of a hard-cover book entitled "The First Hundred Years" written for the bank by Florence Parker Simister, a writer and researcher who has gained considerable renown for her "Streets of the City" series presented for many years over Radio Station WEAN, one of the Providence Journal stations.

The book, which will include many illustrations, including a reproduction on the jacket of a painting by Maxwell Mays showing the bank's main office in 1912, traces the development of Hospital Trust from 1867 to the present.

Theme for the year-long observance is "It's been a colorful century . . . and tomorrow's is even brighter." But it also was a century of challenges and pitfalls, some of which were peculiar to a young, somewhat immature America and may never occur again.

The original purpose of organizing Hospital Trust was to provide a source of income for the Rhode Island Hospital, hence explaining the bank's name. Originally, the bank was to pay the hospital one-third of any net income above a six per cent return. Subsequently, the hospital agreed to modify this in exchange for 100 shares of stock. Today, the hospital continues to be a major stockholder.

Mrs. Simisters' book follows the development of the bank from its start in rooms on the second floor of the then Mechanics Bank Building at 37 South Main St. She took a look behind the scenes and found that the bank has been a rock of stability in this state in times of national economic turmoil.

Most banks today are pretty smug about what they regard as their modern approach to customer relations. They pride themselves at being more considerate of the public than were their 19th century predecessors. A year or so ago, Hospital Trust, for example, had a promotion campaign stressing "Blue Ribbon" treatment of customers, using the slogan "You're First With Us at Hospital Trust."

EMPHASIS ON GOOD MANNERS AN OLD TRADITION AT BANK

In Mrs. Simister's book, this blue ribbon treatment of customers is disclosed as sort of old hat for Hospital Trust. It was doing this 85 years ago.

In 1882, Robert H. I. Goddard, the second generation of Goddards to serve on the bank's board of directors, laid down the principles for the blue ribbon treatment during the few months he was serving as temporary president of the institution.

In a directive written for employes that year, he reminded that "it is the little acts of kindness and courtesy which give to an institution of this kind character and popularity in the community. . . ."

Stressing that "knowledge of good manners is as important in a bank office as a knowledge of accounts, especially for those coming in contact with the public," Mr. Goddard wrote that "a foolish question or remark from a customer will not be considered as an excuse for the slightest rudeness of manners."

He directed that a clerk is bound all the more to assist or give information "in a courteous and kindly spirit" when a customer or "any person visiting the banking rooms" shows a lack of knowledge of business methods.

Modern bankers have regarded themselves as the discoverers of this customer relations approach. Mrs. Simister's book shows that they were almost a century late.

Hospital Trust was only six years old when it weathered its first national financial panic. That was in 1873 when a "monetary convulsion" swept the country, causing runs on banks in major cities and bringing about the collapse of the A & W Sprague Manufacturing Co. empire in Rhode Island. At least 15 banks in the state failed, suspended operations or reorganized as the result of the failure of the giant Sprague family textile operation.

Representatives of the Hospital Trust played an active role in efforts to salvage the wreckage. The whole state was shaken by the experience, and directors of Hospital Trust took steps to strengthen the bank against any similar eventualities in the future.

In May, 1884, another financial convulsion swept the country, and again Hospital Trust weathered the storm. The bank continued to grow and in 1891, the bank moved into a building at 15 Westminster St. which in 1918 would be replaced by the first section of the present Hospital Trust Building.

The bank came through the financial panic of 1893 and weathered the one in 1907 while 10 other banks in the state were forced to liquidate.

In 1929, the stock market crash heralded the beginning of the worst financial storm. By November, 1930, there were 62 bank closings in the nation and it became evident the economy was sinking into a deep depression. By 1932 there were 3,500 bank failures. Then in March, 1933, President Franklin D. Roosevelt declared a bank holiday. During it, Rhode Island banks issued script to keep business going. When the banks in the state were permitted to reopen, they found that public confidence had not been shaken.

Hospital Trust has operated through three major wars—the Spanish-American, World War I and World War II—and has been in the middle of two hurricanes. The first, coming in 1938, had sent a tidal flood into its basement vaults, causing extensive damage to bank records and securities and the contents of safe deposit boxes. Learning from the first one, Hospital Trust adopted protective measures and came through Hurricane Carol in 1954 with minimum damage.

The bank owes its ability not just to survive but to grow in the face of adversity to the sound banking practices of its leaders, starting with William Binney, a Providence lawyer and first president of Hospital Trust, who is regarded as the organizer of the bank, and continuing with presidents like Alexander Farnum, Herbert J. Wells, who retired in 1919 after service as president for 35 years, and Thomas H. West Jr., who departmentalized the various banking functions.

In celebrating its first hundred years this year, Hospital Trust will be paying tribute to that early leadership in focusing on the present day successes of the institution.

Other events planned include the 100th Anniversary Dinner for Hospital Trust directors, officers, board of managers and members and wives at Agawam Hunt May 12. A businessmen's forum is planned for later this year.

At the end of this month, the bank will publish a 38-page booklet entitled "Capitol Hill" which will contain a rundown on state legislators, the state's governors, state offices and the Rhode Island congressional delegation.

The bank already has introduced its new corporate symbol consisting of a modernistic combination of the letters "H" and "T." The symbol appears on the front cover of the 1966 annual report. This symbol will appear on tie clips and pins to be worn by members of the 892 members of the Hospital Trust staff during the year.

STATE DEPARTMENT ASSURANCES

Mrs. SMITH. Mr. President, yesterday I received a letter from Under Secretary of State Nicholas deB. Katzenbach giving me certain assurances with respect to the proposed Consular Treaty.

For the present I shall restrict my observations on this letter to the statement that this letter is an improvement on the February 17, 1967, letter of Assistant Secretary Douglas MacArthur II to me on this subject.

Because of the interest in this matter, I ask unanimous consent that the letter of Secretary Katzenbach be printed in the RECORD.

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

THE UNDER SECRETARY OF STATE,
Washington, March 6, 1967.

HON. MARGARET CHASE SMITH,
U.S. Senate.

DEAR SENATOR SMITH: I am writing in response to some of the questions you raised with respect to the proposed Consular Treaty with the U.S.S.R.

As you know, the treaty itself does not provide for the opening of new consulates but merely states the rights and conditions under which consular officials operate in the two countries. One set of provisions provides that the consulate officials acquire the same immunity from legal processes customarily associated with embassies and diplomatic representatives. Another set of provisions deals with the rights of consular officials to have immediate notification and access to citizens who are accused of wrongdoing by the authorities of the other state. These provisions are of particular interest and importance to the United States, and they would come into effect immediately upon signing of the treaty and irrespective to the opening of any consulates.

Under these provisions, U.S. officials performing consular services (including those performing such services now in the embassy in Moscow) would be entitled to immediate notification and continuing access to American citizens in difficulty with Russian authorities. We now have no such rights and under Russian law a person can be held for months without the right to notify his embassy, without charges being placed against him and without the right to counsel. Under the proposed treaty, the Russians would have to notify us within 48 hours of an arrest and we would have continuing access after a period not to exceed two to four days.

There are two interesting ironies in this situation. The first is that under the terms of the treaty, the Russians would be giving to American citizens rights far in excess of those provided under their own law to their own citizens. The second is that the Soviet Union acquires no rights under these provisions in the U.S. which they do not already enjoy and which we could not, even if we desired to do so, withdraw. Under our Constitution, a person traveling in this country is entitled to all the rights provided for in the treaty. So in this respect we are gaining important rights in the U.S.S.R. which we don't presently have, and they are getting no fundamental rights in the U.S. which they do not presently enjoy as a matter of Constitutional law.

I believe the rights gained for the U.S. are significant. About 18 thousand Americans annually visit the U.S.S.R.. Only about one thousand Russians visit the U.S.A. While a relatively few numbers get into difficulty with Soviet authorities, it is a matter of great importance for those who do that they have assurances of protection by their government.

With respect to the actual opening of the consulates, there has been no agreement with the Soviet Government, in the negotiations on the Consular Convention or separately, for the opening of any consulates in either country. We have no present plans for taking such action. If and when in the future the Department of State should consider proceeding toward the opening of a consulate, I can assure you that we would consult fully with the Foreign Relations Committee and other interested Senators before reaching any decision. The views of the Committee and of the Leadership on both sides of the aisle would be among the important considerations we would take into account in making a final determination.

I wish also to give further assurance that, in the event of our proposing to agree to the establishment of a Soviet consulate in this country, we would discuss the question with the municipal authorities of any American city under consideration as the site, since the views of the municipality would, of course, be important in reaching any final determination. As the Secretary stated in his testimony on the Consular Convention before the Foreign Relations Committee, we would not wish to proceed with the opening of a consulate against the will of the responsible local authorities.

In the event a Soviet consulate were established in this country, we would insist that the number of Soviet consular personnel enjoying immunities under the Convention be limited, and in no case would it exceed the number of Americans to receive identical immunities in the consulate we would open in the Soviet Union.

We are firmly convinced that this Convention is essential to obtain those rights we need to protect Americans traveling in the Soviet Union. We are also convinced it is in our national interest. I hope you will find it possible, in the light of these assurances, to give the Convention your support.

Sincerely,

NICHOLAS DEB. KATZENBACH.

TRIBUTE TO SECRETARY McNAMARA

Mr. McGEE. Mr. President, we in this body are quite aware of the truly significant service which has been rendered this Nation by Secretary of Defense Robert McNamara. His achievements in the high office he holds are great, as were his achievements before entering the service of his Government. Yet, to many he remains a puzzle, as reporter Joseph Alsop says in his column, "Matter of Fact," which I have taken from the Washington Post. But, far from being "a human computer," as he is often reported to be, our Secretary of Defense is, in Alsop's words, "exceedingly humane, generous, and kindly." But he is efficient, too. He has done his job efficiently, applying technology as never before to the maintenance of our Military Establishment.

Mr. President, Joseph Alsop's column on Robert McNamara, "The New Harpalus," is a good portrait of a good man who is doing a good job. 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:

THE NEW HARPALUS

(By Joseph Alsop)

Leaving for the Far East, for yet another on-the-spot look at the war, this reporter finds himself obsessed with the puzzle of Robert S. McNamara.

Here, to begin with, is an innovator of historic dimensions, quite on a par with Alexander the Great's hunchbacked cousin, Harpalus, who literally invented the profession of Defense Minister (at any rate in the West, for they had defense ministers in China long before). Yet almost no one understands the real nature of McNamara's innovations.

They chiefly have to do with what may be described as the problem of Nelson's "Victory" versus the "Poseidon" missiles. The keel of "Victory" was laid in Great Chatham's wars and the ship cost a mere 70,000 pounds; yet "Victory" was still fit to serve as Nelson's flagship and to lead the British line at Trafalgar.

In contrast, America's "Polaris" submarine fleet was completed hardly more than a couple of years ago, at cost of many billions of dollars. Yet these submarines must now be modified, at a cost of still further billions, to receive the new "Poseidon" missiles.

In other words, technological development has now accelerated to an almost frightening degree; and this acceleration in turn continuously demands new defense choices of life-and-death importance and truly staggering cost.

From the time of Harpalus until the time of McNamara, however, there had been hardly any change in the old way of making defense choices.

The old way was for the services' senior officers to make defense choices by hunch, by rule of thumb, and in the light of their own past experience. This was all very well until technology accelerated too greatly. But it was by no means well, when cavalry generals began to have to make choices about airplanes, or when big-bomber generals had to make choices about missiles.

Worse still, inter-service rivalries, ingrained bad habits and the sheer vastness of the Defense Establishment made the problem I have been trying to define the biggest, most tangled administrative problem in the history of the U.S. Government.

Almost miraculously, McNamara cut straight through the tangle, with an exceedingly simple though radical solution.

Briefly, he substituted statistical compilation and logical analysis for hunch, rule-of-thumb and the dictates of by-now-always-obsolete experience.

This was a wholly new way of making defense choices, never before attempted. At first it caused great pain and outrage, but it is the heart and essence of the McNamara reforms at the Pentagon.

History suggests that very great military innovations, such as the McNamara reforms, tend in the end to have very great social-political consequences. Certainly the innovations of Harpalus had such consequences, and so have many others in the past. About this matter, however, one must rather apprehensively wait and see, except in one respect.

In brief, the McNamara reforms produced completely ready, completely trained armed forces—the first such forces the United States has ever had in peacetime. For good or ill, this in turn produced the Vietnamese war. For we should have been most unlikely to enter the war, if the armed forces had not been completely ready. And if we had entered the war with unready forces, as in Korea in 1950, the result would have been catastrophic.

Such, then, is the right way to measure Robert McNamara's achievement. In the light of history, it may appear still greater than it does today for the reasons above-noted. Meanwhile, however, McNamara remains a puzzle, because this strange man is not what he seems.

Far from being a human computer, as so often reported, he is exceedingly humane,

generous and kindly—unless provoked to sternness by inefficiency, which he detests. Far from being narrow and mechanical, he is a man of the widest interests, close, indeed, to being learned. And far from being a hawk with blood-stained talons, he has been about the strongest single influence on the side of keeping the Vietnamese war sanely limited, both in methods and in aims.

The real reason why he is an obsessive puzzle at the moment, however, is that he is so obviously far less at ease as a War Minister, than he used to be as a Defense Minister. He does not speak with the same clear voice as in the past. He is reluctant to claim progress. He is hesitant to hail accomplishment.

Partly, no doubt, this is because it must always be difficult for a truly humane man to be a successful War Minister. Yet one suspects in fact that the real trouble is that once you get into a war, statistical compilation and logical analysis lose much of their value, while hunch, rule-of-thumb and past experience walk in the other door. Here, perhaps, is the true source of McNamara's visible unease, which by no means diminishes the immense debt that is owing to him.

VIETNAM ROADS SAFE FOR DRIVING

Mr. McGEE. Mr. President, there are many ways to measure our successes in Vietnam to date, but in a news analysis carried Sunday in the Washington Post, Reporter Ward Just provided us with a down-to-earth measurement. He was supporting the views of Presidential Assistant Robert Komer, who returned to Washington recently to say the situation in Vietnam has improved considerably in recent months. Just measured that improvement in roads—roads once too dangerous to travel, but now safe for even American civilians. The key Route 1, the late Bernard Fall's "Street Without Joy" should soon be open from Hue all the way south to Bongson, he reported. Those who have been in Vietnam know that this, indeed, will be a milestone, when this major highway, along with the others already secured, is safe for travel.

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

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

[From the Washington Post, Mar. 5, 1967]

PROGRESS IN VIET WAR: ROADS BECOME SAFE FOR DRIVING

(By Ward Just)

SAIGON.—When presidential assistant Robert Komer returned to Washington from Vietnam recently, his report to the White House was that the situation in Vietnam has considerably improved in recent months.

Shortly before leaving at the end of his visit here, Komer said he was encouraged by the progress being made.

"While we still face many problems," he said, "they are increasingly the problems of success rather than those of averting catastrophe."

There have been official expressions of optimism in the past, and most of these have proved unfounded. Vietnam is a graveyard for optimists. But at the moment, Komer's views parallel those of most observers here.

The problem for American officials in Vietnam has always been one of measurement. In a war where territory won is not held, how is progress measured? The dead have been piling up at an appalling rate for two years, yet nothing seems to change. Where is the improvement? Where are the grounds for optimism?

The answer is: roads.

In the Central Highlands, it is now possible to drive from Kontum to Pleiku to Banmethout, a distance of about 150 miles spanning three provinces.

From Quinhon, an adventurous driver can motor south 200 miles through Phuyen and Khanhhoa Provinces to Phanrang, the seaport only 100 or so miles northeast of Saigon. The road is rutted, and a vehicle is liable to receive an occasional—but very occasional—sniper round, but the road is open.

American civilians now drive without fear of ambush to Vungtau—the fishing village called Cap St. Jacques by the French, and resembling a down-at-the-heel Cannes. Elements of the U.S. 173d Airborne Brigade protect the road.

Haunghia Province to the west of Saigon, once one of the most dangerous provinces in South Vietnam, is gradually yielding to battalion-sized American sweeps. American civilians now drive through Haunghia to Tayninh and on to the Cambodian border.

Lt. Gen. Stanley R. (Swede) Larsen, commander of the I Field Force (corresponding to the South Vietnamese II Corps) and Lt. Gen. Jonathan Seamen, commander of the II Field Force (corresponding to the South Vietnamese III Corps) promised Komer during his visit that the Saigon-Dalat route will soon be open to traffic.

Last summer, a Vietnamese traveling on a local bus from Saigon to Dalat was stopped no fewer than five times by Vietcong units collecting taxes.

In the Mekong Delta, knowledgeable Americans say it is safe to drive from Saigon to Camau, the capital of southernmost Anxuyen Province.

In the northernmost I Corps, Marine commandant Maj. Gen. Lewis W. Walt says he will soon open Route 1—the late Bernard Fall's "Street Without Joy"—from Hue all the way south to Bongson in northern Binhdinh Province. Route 1 is a highway of immense economic importance that spans five provinces.

The opening of roads does not mean the winning of the war in Vietnam, but it is a beginning. One experienced American official, a normally skeptical observer not given to optimism, says the situation here is now comparable to the early months of 1963.

If that judgment sounds depressing, it should be remembered that the situation had been steadily deteriorating from 1963 until recently. To compare today's situation with 1963 is to say that matters have greatly improved.

SAN ANTONIO IS CLEANEST TOWN IN AMERICA

Mr. YARBOROUGH. Mr. President, Mr. Clean has had it. The new cleanliness champion is San Antonio, Tex.

Last week San Antonio was voted the American city with the most outstanding cleanup and beautification program in the country. This is the second time San Antonio has won this prize, having won first place in 1955. San Antonio has won 19 awards in 17 years of competition in the contest.

Congratulations are in order for James E. Whiteaker, president of the Beautify San Antonio Association, and the other officers and directors of the association who were in Washington for the contest—Mrs. S. E. Cockrell, O. P. Schnabel, Emil Mori, Ed Davis, Mrs. E. B. Jobe, Mrs. Mary Spencer, and Gene Neely.

In addition to being clean, San Antonio is a beautiful city with a rich heritage. The city is planning a great celebration of its 250th anniversary in 1968 with the HemisFair 1968 Exposition.

I ask unanimous consent that an article from the Wednesday, February 22, San Antonio Express on San Antonio's winning the Cleanest Town Contest be printed in the RECORD.

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

SAN ANTONIO WINS CLEANEST TOWN PRIZE OVER 233 COMPETITORS

(By John L. Moore)

WASHINGTON.—A smiling band of Texans headed for home Tuesday, happy that San Antonio has the best clean-up and beautification program in the country, and bearing the Trigg Trophy to prove it.

The selection of San Antonio as winner of the award, over 232 other contestants, came as a complete surprise to the city's delegation at the National Cleanest Town Achievement Conference, which ended Tuesday.

"We heard rumors that some place in Utah had won," said Mrs. S. E. Cockrell Jr., a San Antonio city councilwoman. "Of course, we were pleased that our city had won a trophy earlier as one of the best entries. But we were hoping to win the big one, too, and when San Antonio got it we were thrilled."

In San Antonio, Chamber of Commerce Vice President David Straus praised the local association, a division of the Chamber of Commerce, and said "every citizen of San Antonio owes a vote of thanks to the hard-working members."

"We feel this will let everyone all across America know that San Antonio is not a 'drab city' as some choose to describe it, but a city of beauty and charm which takes pride in itself and holds high the standard of cleanliness," he added.

His reference to the phrase "drab city" alluded to a recent comment included in William Manchester's book, "Death of a President."

This is the second time San Antonio has won the first prize in the beautification competition. It won first place in 1955. In all, San Antonio has won 19 awards in 17 years of competition in the national contest.

Surprised or not, Mrs. Cockrell managed to get in a few plugs for San Antonio when she accepted the Trigg Award from Orville Freeman, secretary of agriculture. She accepted for Mayor W. W. McAllister and James E. Whiteaker, president of Beautify San Antonio Association. Whiteaker was present.

She told the audience that the HemisFair city's beautification efforts had been spurred by Mrs. Lyndon B. Johnson's April 1 visit to turn on the new aesthetic lighting along the San Antonio River Walk.

Mrs. Cockrell said the First Lady's interest in natural beauty has been a strong incentive to clean-up efforts in cities all over the country.

In her acceptance remarks, Mrs. Cockrell also attributed San Antonio's success to the May 9 beautification conference sponsored by the City Council as a follow-up to last year's White House conference, the efforts of Beautify San Antonio Association, garden club and neighborhood programs, and beautification projects at the five military bases in the area.

Another big factor, she said, is the "total citizen effort" in San Antonio to tidy up for the thousands of visitors who will be attracted to the city in 1968 by HemisFair.

Mrs. Cockrell was a panelist at the three-day conference on the role of government in beautification. As a panelist she sat at the

head table next to Charles Haar, undersecretary of housing and urban development, who recently visited the city.

This afforded Mrs. Cockrell an opportunity to get more information about participation in the "model cities" program, in which San Antonio is interested. She also met Dan Ogden, assistant director of the Bureau of Outdoor Recreation, and promised to send him material about the River Walk for possible inclusion in a new book about urban beautification.

The whole conference, she said, "was a good opportunity to sell San Antonio, which I love."

Others taking part were Whiteaker, O. P. Schnabel, Emil Mori, Ed Davis, Mrs. E. B. Jobe, Mrs. Mary Spencer and Gene Neeley, all officers or directors of the association.

DR. J. ROBERT OPPENHEIMER

Mr. MONTOYA. Mr. President, at great intervals in the history of men there flashes across humanity's horizon a personality and mind unique in the gifts it possesses and in a class by itself in how it utilizes those gifts. Such a man was Dr. J. Robert Oppenheimer, who has been called father of the atom bomb.

I knew Dr. Oppenheimer when he was Director of the Los Alamos Scientific Laboratory in my home State of New Mexico, where American nuclear physics gained its first maturity, and where he supervised that awesome, terrible birth that has changed the direction of human history.

He was in many ways a Rennaissance man, or, to put it more simply, a master of many disciplines. Not satisfied with being a giant in his chosen field, he extended the reach of his knowledge and tendrils of his intellectual curiosity into the cultural world, always asking why such a thing was so.

Not a mere creator and masterer of our environment was Dr. Oppenheimer. He can never be classified with those men who destroy in the name of science, and then step back to piously proclaim that they were not responsible for uses to which the fruits of their minds were put. He had a deep awareness of the moral consequences of human behavior that went hand in hand with his curiosity, his quest for truth, and his desire to aid his fellow man to evolve to a higher plane of existence.

He had a fire within him to impart his knowledge to those who sought to learn, and became, as a result, that exceptional man who was not content to sit in lonely laboratory solitude, but rather one who sought to attract bright, inquiring minds so he could aid them in their search for enlightenment. Throughout his career he was sought out continually by the most brilliant of our youth who wished to not only mature as scientists, but as men and women of conscience, humanity, and love for their fellows.

The Enrico Fermi prize is quite possibly the height of heights to a physicist. This he attained, and rightly so. But he reached heights as a man that matched his successes as a man of science.

For he dared ask questions that others would not ask. He felt in his heart of hearts that man is responsible for his actions to his fellows and afterward. How different he was from those men of the last Great War who laid the priceless gifts of their minds upon the altars of tyranny without thinking twice of the horrors that would be wrought by others who seized those fruits with such eager, bloodstained hands.

Mr. President, Dr. Oppenheimer loved our country with a passion that is indescribable. One had to feel it emanating from the man to plumb even a small part of the depths of his feeling. When his clearance was withdrawn it did not mean he had been disloyal. Dr. Oppenheimer was incapable of disloyalty to this Republic.

It was this love of country that allowed him to remain silent after this occurrence. It was because of that feeling that he never vocalized his disappointment or asked for favor. His silence was acceptance of the verdict of his contemporaries on the subject of his entitlement to continued clearance.

His name and honor are unbesmirched, and history's verdict will bear out the truth of that statement. May I remind each of us here that the future gazes at acts of the past with a terrible objectivity. Many wither under that tranquil scrutiny. Robert Oppenheimer will thrive under it.

Mr. President, a man who has the intellectual honesty to match his pure intellect is too rare, and when he is gone, there is a void in the collective conscience of mankind matching the gaping hole such a man's departure leaves upon the world of scholarship and research. In the case of Dr. Oppenheimer, our loss is painfully evident on all scores.

Rather than repeating customary things said when a man of talent and character passes from among us, let us remain aware of those lessons his life and behavior teach all of us.

For human gifts can be human curses. Each creation of man's mind can devastate his fellows as well as bless them. Man carries within him seeds of his own destruction as well as those of his salvation.

Dr. Oppenheimer has left us a heritage as well as an awesome force. If we do not understand the former, we can never fully enjoy the blessings of the latter. His life is a warning as well as a beacon. We are running out of time in which to do our homework and learn our lessons.

He shall be remembered. A man turbulently brilliant, frighteningly wise, amazingly accomplished, not to be soon forgotten.

May he find the surcease in death that he searched for so unavailingly in life.

CENTENNIAL OF U.S. OFFICE OF EDUCATION

Mr. MONTOYA. Mr. President, the U.S. Office of Education was recently described as "the place where the action is."

This description, coming as the Office marks its centennial anniversary on March 4, is a succinct summing up of our national drive to assure full educational opportunity throughout the land.

In successive pieces of pioneering and reinforcing legislation, the Congress has provided our educational system with new and visionary tools for improvement. The object has been far more than a narrow search for better systems of teaching specific subjects.

President Johnson, in his recent budget message and in the 1967 budget itself, summed up both the reasons for this new emphasis and its goals when he said:

> Our Nation's greatness depends upon the full development of the talents and abilities of its citizens. . .
>
> Education is an essential investment for social and economic progress in our Nation.

In pursuit of the fullest possible social and economic progress, we have passed, and the Federal Government has implemented such recent legislation as the Elementary and Secondary Education Act, the Economic Opportunity Act, the Vocational Education Act, the Higher Education Act, the Library Services and Construction Act, and legislation concerning specific areas of study such as the Health Professions Act.

This list is far from complete. It does, however, point out the increasing commitment of the Nation toward education as a means of improving our national life.

This vast commitment has benefited from and generated interest by gifted educators and public servants all across the country.

We have given the Office of Education the key task of directing our program of Federal assistance to education. In so doing, we have considerably widened the responsibility of the Office.

Its main function of past years, that of collecting and disseminating data on education, has broadened into a virgorous and far-reaching program of research at every level of learning. Experimentation in education, sponsored by the Federal Government, is one of our most promising avenues toward the broad social advancement that is the ultimate aim of the whole educational effort.

Effective education, we hope, can assist us in the eradication of poverty, in the advancement of equal opportunity, in the wiping away of prejudice, and in the total marshaling of our national assets for the betterment of our Nation and all the individuals in it.

Most recently, we have turned our attention to the role education can play in helping us meet our growing world responsibilities and in understanding the thought and actions of other nations.

The International Education Act of 1966 is our newest program in education legislation. Several Federal agencies are to jointly establish a center for educational cooperation to coordinate governmental activities in fields of international education. A system of grants for instruction and research in international studies and related fields was established by the act and awaits funding.

In all truth, this Nation has demonstrated convincingly its stalwart conviction that our schools, whether they serve the toddler or the adult, must be brought to the highest level of efficiency and service.

I wish to add a bit of special emphasis here on technical and vocational educa-

tion, which the U.S. Office of Education is working on so effectively throughout the Nation.

Mr. President, I have a special hope for this type of education, for as we are well aware, most of our young people do not continue on to college and university. It has been one of the tragedies of our time that uncounted thousands of youngsters have been trapped in the college preparatory courses, without enough access to the technical and vocational education that would have prevented their dropping out of school.

Now we are aware of the needs of these youngsters who are already out of school or on the verge of dropping out. Now we are helping to construct technical and vocational education facilities that will draw them as well as the underemployed and those whose skills have been dated by technology into these institutions, where they can be converted from dropouts and people on welfare into taxpayers and contributors to their communities and States.

Through acts like the Technical and Vocational Education Act of 1963, the Smith-Hughes Act, George Barden Act and the Economic Development Administration we are putting up and helping to maintain, equip and staff these facilities, meeting localities and States a good part of the way.

In my home State of New Mexico, these programs promise much for the future of people who have had but little to look forward to. With any kind of good planning and cooperation, we shall be able to create a series of these schools, each serving students drawn from several school districts.

The efforts of the U.S. Office of Education are an integral part of that effort, which holds so much for so many. It is through the Office of Education that we have had so much success. Therefore, I wish to pay them my most sincere compliments on their centennial.

It is vastly encouraging, therefore, to know that the Office of Education is where the action is.

Although the Federal Government remains a junior partner to the State, local and private agencies that direct and administer our system of education, its contribution can be immense.

The amount of money we spend and the number of man-hours we devote to education on the Federal level, though large in quantity, are small in proportion to the problems they seek to resolve. They are small also in terms of the dividends they can pay if properly used.

But the "action" represented by the Office of Education—constructive thought and careful experimentation, as well as a continuing receptiveness to new ideas and techniques—can have a beneficial effect that multiplies geometrically as its results are disseminated.

In sum, all this is a tanglible pledge of our earnest desire that our Nation's mighty resources shall be bent to constructive ends, the chief of which remains fulfillment of the individual.

ANTICRIME LEGISLATION

Mr. FONG. Mr. President, I welcome this opportunity to cosponsor and endorse the President's proposed program against crime and commend him for the farsighted crime message which he sent to Congress on February 6, 1967.

There are certain national objectives which are vital to every citizen of this country, and the elimination of crime is one of the foremost among these objectives. We cannot sit back and expect the existing law enforcement agencies to solve the problem without aid from Congress and from all the citizens of the United States.

At the heart of the program is the Safe Streets and Crime Control Act of 1967. This legislative proposal recognizes that crime is essentially a local problem that must be dealt with by local and State governments. The magnitude of the problem, however, demands that Federal assistance on a substantial scale be thrown into the fight.

The proposal will provide an effective means of lending Federal support without infringing on the independence and autonomy of the local authorities.

The additional resources which would be available under the bill to both Federal and local authorities will facilitate better training for law enforcement personnel, acquisition of modern equipment and facilities, incorporation of innovative techniques for apprehension of the lawless, and improvements in rehabilitation processes and procedures.

The Safe Streets and Crime Control Act of 1967 will not solve all of the problems. No simple or easy solution is available.

It will, however, firmly commit the Federal Government to a role of leadership and support. Within the framework of our established and traditional separation of responsibilities, it will let all levels of Government work together to fight the common enemy—crime and lawlessness.

I believe this proposal to be a sound, imaginative approach which will make a substantial contribution to the life of our society.

Coupled with the Safe Streets and Crime Control Act of 1967 are several other valuable legislative proposals designed to aid in eliminating crime.

First, firearms control legislation. All citizens of the United States are aware of the danger presented by the possession of firearms by irresponsible and criminal members of our society. We have nothing to fear from the possession of firearms by responsible citizens in the pursuit of the legitimate goals of recreation or self-protection.

However, as I have repeatedly pointed out in the past, we must prevent indiscriminate purchase of weapons and control their use, so that our citizens are protected from their unlawful and destructive use.

We must deter crime and acts of violence by making more difficult the acquisition of dangerous weapons for use as instruments of crime.

The proposed firearms control legislation provides for licensing of firearms dealers in interstate commerce. It will also provide for keeping a record of all firearms purchases, to serve as an effective law enforcement tool as well as help to prevent weapons from getting into irresponsible hands.

I welcome this legislation and urge its adoption.

Second, legislation on criminal rehabilitation. In order to have a complete program of law enforcement, it is not sufficient simply to apprehend the criminals. Once they are brought before the processes of justice, we must have effective methods to rehabilitate the offenders.

We are all aware of the appallingly high rate of recidivism. The 89th Congress enacted legislation designed to improve rehabilitation. The instant proposal will create a U.S. correctional service which combines in a single agency the responsibility for supervision of convicted persons while in prison, on probation or parole, or in halfway houses.

These rehabilitation programs are presently very fragmented, being handled by a multiplicity of Government agencies. Under the proposed law, the new service will be able to unify all aspects of rehabilitation efforts and to develop a complete, overall program. This undoubtedly will make vastly more efficient and effective the rehabilitation process.

Third, legislation to establish a Federal Judicial Center. This center would study the problems of judicial administration and find means of eliminating the backlog of cases which crowd many of our court calendars. Our Nation's courts always have been institutions of which we can be proud, and this proposal is admirably designed to insure that our courts continue to meet the challenge of our society.

Fourth, wiretapping and eavesdropping legislation. It seems to me to be both fitting and proper that the President should include in his package of anticrime bills the use of wiretapping and eavesdropping.

I strongly believe, as I have repeatedly pointed out before, that the right to privacy guaranteed all Americans under the fourth amendment to the Constitution should be unequivocally and firmly secured to all.

The dignity of each individual, and in fact our whole way of life, demand that our citizens be guaranteed freedom from all forms of eavesdropping.

The proposed Right of Privacy Act of 1967 would prohibit all wiretapping public and private, except when the security of the Nation itself is at stake.

Even within this very narrow area in which electronic surveillance might be allowed, the bill prohibits the use of any information obtained by wiretapping or eavesdropping as evidence in judicial or administrative proceedings.

Another section of the bill would prohibit the manufacture, shipment, or advertisement of electronic surveillance devices, in order to cut off their supply to wiretappers and eavesdroppers.

While I am in basic accord with all provisions of this bill, it is my hope that, when the bill is taken up by the Judiciary Committee, language will be included to provide for the strictest possible control and supervision by the Federal courts of any electronic surveillance which might be allowed in the national interest.

In each of the four aspects I have mentioned, the administration's anti-crime program is one of great scope and promise, designed to help fight crime on all fronts. I, for one, will wholeheartedly support the program and urge all fellow Members of Congress to join in this support. Our citizens must be freed from the menace of crime and our society made safe for the pursuit of happiness by all of our citizens.

THE OTHER WAR IN VIETNAM

Mr. INOUYE. Mr. President, we are engaged in two wars in Vietnam. One war is being fought in the headlines with bombs and bullets and guns and men. But there is another war in Vietnam—the quiet war which may be as important, even more important than the fighting war. That is the war against fear, disease, degrading poverty, disorganization and anarchy, against hopelessness.

The American people ought to know that in spite of the most adverse and dangerous conditions, encouraging progress is being made in winning that other war in Vietnam.

I base my statement on the recent comments of Mr. David Lilienthal, a respected American figure, and Mr. Robert Komer, Special Assistant to the President, who have just returned from an on-the-spot inspection of our efforts in Vietnam. These gentlemen clearly indicated that there is a new and encouraging atmosphere in Vietnam today. A cross section of the people now believe that there is a future for their country—a future after the military conflict is over. That hope for the future is, in my opinion, a direct result of the success of U.S. efforts in fighting the other war.

Some dramatic statistics indicate the new turn of events. In 1963 the Government of Vietnam began an amnesty program for Vietcong members who chose voluntarily to leave their jungle hiding places for rehabilitation and return to normal Vietnamese life. In 1965, there were 11,000 returnees. In 1966 that figure almost doubled to more than 20,000. In 1967 that figure is expected to double again.

These are known figures. There are more Vietcong who just desert and return to their villages. In 1966 alone, some 684,000 refugees moved from insecure areas to relatively secure areas. Another three-fourths of a million refugees simply migrated to the cities seeking better opportunity.

These facts are dramatic. They indicate a growing disillusionment with Communist promises and Vietcong terrorism. They indicate a feeling by the enemy that a stable Vietnam Government is here to stay. They indicate the growing success of civilian economic, education, health, political, and security assistance programs which the American people support.

In March or April a new constitution for Vietnam will be completed. Local elections are soon scheduled to start. Runaway inflation has been halted. The critical rice shortage is being overcome. Roads, the lifeline of the country, once closed, have been opened and secured for the movement of goods and people. Imports under the food for freedom program more than doubled from 1966 to 1967.

The United States and other countries have helped expand Vietnam's industrial base with some 800 new industrial plants reported in 1966 employing 75,000 people. Vietnam is beginning to meet its own internal needs for certain domestic products. Local public administration has been improved. Thousands of refugees have been given short-term vocational training programs. New schools and hospitals have been built. Private U.S. firms have invested some $5 million in joint business enterprises. Medical and nursing training has been provided for Vietnamese doctors and nurses.

But beyond all these facts, there is a change in Vietnam, something intangible, something in the hearts and the minds of many Vietnamese. It is the feeling that today there is a future for the Republic of Vietnam. There is a future for its children. There is hope of emerging from feudal poverty and ignorance. And there is the belief that present military problems will be overcome.

Call it emerging democracy. Call it a freer and more secure atmosphere. Call it what you will. The war of the Vietnamese—for his own future, his own independence, his own higher standard of living, his own human dignity—is being won. And when it is won, finally, military victory will be a part of it. For a people determined to stand by itself will never be beaten by guns or bombs or bullets.

I believe history will record these years as the proudest in American life. We have given not only our soldiers to defend Vietnam, but our brains, our food, our tools, and the expertise of Americans from all walks of life to see to it that Vietnam succeeds. I believe that President Johnson deserves the fullest credit and public support for his efforts in the other war in Vietnam. I believe that long after every American soldier has left Vietnamese shores, there will remain living monuments to the vision, the compassion, and the greatness of the American spirit.

EXTENSION OF THE DRAFT

Mr. CANNON. Mr. President, the President's message on selective service, while far-reaching, has at its heart one basic conclusion—this Nation must continue a Selective Service System. This conclusion is correct.

Without selective service, what assurance would we have of meeting sudden national security commitments? No Member of this body need be reminded of Korea in 1950, Berlin in 1961, or Vietnam in 1965.

Without the draft, the services would lose a large proportion of the better educated entrants into service. We badly need such men in our modern mechanized forces. The Defense Department says that 58 percent of recent enlistees with post-high-school education volunteered because of the draft.

Some simple statistics summarize the whole problem. With volunteers alone, our Active Forces would be little more than 2 million. Our Active Forces now stand at 3.3 million. If the war goes on, they could reach 3.5 million by the middle of next year.

While we all look to the day when the need for such forces will subside, that day appears far distant. Until its coming, the Nation, I am sure, will share the conclusion that a system of selective service must continue.

What is urgently needed now, however, is not only the extension of a Selective Service System, but one that is as equitable as possible to all potential draftees.

Many plans have been proposed, and all deserve our most thorough study. I am especially anxious that any plan to eliminate undergraduate deferments be studied critically. This was one area in which the Advisory Commission on Selective Service Laws differed sharply.

While we agree, I am sure, that the draft must be continued, we must be aware of the need for public dialog on the question of ending deferments and other aspects of the proposed changes in the Selective Service System.

WELFARE AND PENSION FUND DISCLOSURE ACT

Mr. YARBOROUGH. Mr. President, on February 20, 1967, I introduced S. 1024 a bill to amend the Welfare and Pension Plans Disclosure Act, which is the subject of a thoughtful and well-considered editorial published in the Wall Street Journal on March 3. I commend its message to the Senate.

Mr. President, I ask unanimous consent to have printed in the RECORD the editorial entitled "Policing Pension Funds."

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

POLICING PENSION FUNDS

One sound idea in President Johnson's consumer message to Congress, it seems to us, is for tighter policing of private pension plans.

The plans have grown so large and so important that plainly there should be greater concern about them. Little known less than three decades ago, they now cover 26 million employes and have amassed reserves of $90 billion.

As the President said, "The vast majority of welfare and pension plans are managed wisely by able officials, who follow the strictest code of fair dealing." Abuses exist, however; a few in company-run funds, but most flagrantly in those administered by union officials.

One union, for example, kept a large part of a plan's funds in a certain bank; in return, the union's officers got personal loans on favorable terms. In other instances union officials or their friends have borrowed directly from the pension fund to finance questionable ventures.

As things stand now, the beneficiaries—the employes—have sharply limited protection against pension trustees who maltreat their trust. A number of funds are handled by banks or insurance companies, which are closely and generally effectively supervised by state or Federal agencies or both. But many plans have no such protection.

Since the Federal Government in effect partly subsidizes the pension programs with special tax concessions, it has an obligation to see that these privileges are not misused.

even though it often misuses its own regulatory functions. Under existing law, at any rate, pension trustees merely report the classes of their investments, not the specific uses of the funds. In many states employes have little if any legal recourse if funds are mismanaged.

In the circumstances, President Johnson's chief recommendations seem unobjectionable. Certainly it's difficult to think of any reason why pension plans should not be required to file complete annual reports on their investment operations; mutual funds long have done so, with no noticeable detriment to their growth.

Moreover, it appears reasonable to stipulate that pension funds should be audited once a year by independent public accountants. This procedure, followed routinely by most business firms of any size, would not be an excessive burden for funds that play so large a role in the future security of so many Americans.

In principle, at least, there also is little reason to quarrel with giving the Government—failing a practical alternative—adequate authority to look into suspected abuses of pension funds. If this power is properly circumscribed and reasonably used, there should be no cause to object to it in practice.

Wisely, we think, Mr. Johnson bypassed some other proposals that have been made for regulation of the pension funds. Thus more knowledge is needed before all pensions can be made "portable," allowing workers to take their pension rights with them when they change jobs. For one thing, it could work quite a hardship on relatively new funds which have accumulated only small reserves.

A good deal more study will be needed, too, before any sort of reinsurance setup can be established, protecting employes should their company go out of business. So far no one has advanced any very clear ideas as to how such a system would work, if it could be made to work at all.

As a starter, it seems sensible to insure, in so far as possible, that the funds are ably and honestly handled. Private plans are becoming an increasingly important adjunct to Social Security. And it's conceivable that healthy growth of pension funds could even help head off limitless expansion, and eventual wrecking, of the Social Security System itself.

Perhaps the Federal Government isn't an ideal choice as pension protector. Self-regulation is more appealing, and for most it's working. But it isn't for the notorious exceptions, and it is becoming clear that some authority should take on the job.

FIREARMS CONTROL

Mr. DODD. Mr. President, in an editorial published on February 28, the Baltimore Sun commented that President Johnson's proposed gun control measure, which I introduced, followed a commonsense approach. That is clearly the case.

What makes more sense than proper procedures designed to keep weapons out of the hands of the criminal, the unbalanced? Thousands of persons are slain by firearms in this country each year, and thousands more are wounded.

I ask unanimous consent that the thoughtful editorial entitled "Firearms Control" be printed in the RECORD.

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

FIREARMS CONTROL

Advocates of gun-control legislation, though perhaps more numerous than those who oppose such legislation, have lacked the means to make themselves heard. Now it may be possible to remedy this defect. A group of leading citizens, including J. Millard Tawes, Maryland's former governor, have founded an organization in Washington to be known as the National Council for a Responsible Firearms Policy.

The Johnson Administration's bill to restrict mail-order and over-the-counter sales of firearms, similar to the measure defeated last year, offers a common-sense approach to gun control. It would create effective regulations while doing little, if anything, to deny sportsmen the right "to keep and bear arms" for hunting purposes. Maryland and some other states have laws to regulate over-the-counter sales of guns, but until the Federal Government acts the nation will have no regulatory policy worth the name.

MESSAGE OF LT. GEN. F. T. UNGER, U.S. HIGH COMMISSIONER, AT OPENING OF 33D SESSION OF RYUKYU ISLANDS LEGISLATURE

Mr. FONG. Mr. President, on February 3, 1967, at the opening of the 33d session of the Legislature of the Ryukyu Islands Government, Lt. Gen. F. T. Unger, the new U.S. High Commissioner, delivered a message emphasizing harmony in the Ryukyu Islands. He said the United States has two objectives—advancing the general welfare of the people of Okinawa and maintaining an effective military base—leading toward ultimate reunification with Japan.

High Commissioner Unger is successor to Lt. Gen. Albert Watson, who returned to the United States last August after accomplishing an enviable record of economic and social development, and after building a stronger friendship bridge between the American administration and the people of the islands.

I am sure that Okinawa is in equally good hands under the leadership of General Unger.

I ask unanimous consent that the text of his message be printed in the RECORD.

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

MESSAGE OF HIGH COMMISSIONER F. T. UNGER TO THE LEGISLATURE, GOVERNMENT OF THE RYUKYU ISLANDS, 33D SESSION

Mr. Speaker and Members of the Legislature, thank you for inviting me to address this opening session of the 33d Legislature. It is a pleasure to be here to speak to you, and through you to the people of the Ryukyu Islands.

As you know, I have lived among you for only a short period of time. This week marks the completion of my third month in office as the United States High Commissioner of the Ryukyu Islands.

I came to Okinawa with the dual objectives of advancing the welfare and well-being of the people of these islands, and of maintaining the effectiveness of the American military base. In the three months I have been here I have learned that the people of these islands also have two major objectives. The first is the improvement of their own welfare and well-being, and the second is their ultimate reunification with Japan.

It is obvious that you and I share the same objective of improving the livelihood of the people of the Ryukyu Islands.

Upon analysis, your objective of ultimate reunification with Japan is not incompatible with my objective of maintaining an effective military base. The President of the United States has said that Okinawa will be restored to full Japanese sovereignty just as soon as the security of the free nations in this part of the world will permit. Until that day arrives, and as a prerequisite for setting up conditions that will hasten the arrival of that day, the United States and the free nations of the Far East—Japan, and our other friends—must be capable of deterring aggression against their peoples and territories. An essential and indispensable part of that deterrent capability is the maintenance of an effective military base here in the Ryukyus. In this sense, the function of the military base is consistent with your goal of achieving the reunification of these islands with Japan.

Thus, we are both working for the welfare and well-being of the people, and we are both looking forward to the earliest possible date when circumstances will permit reunification with Japan. In this context, you and I are striving for the same objectives.

Our greatest opportunity for progress, however, lies in the field of improving the livelihood of the people of the Ryukyus, because reunification with Japan depends largely upon factors beyond your control and mine. Any change in the present governmental arrangement is a matter for determination by the Governments of Japan and the United States and, hence, is not a matter for those of us here to decide. Within the existing framework, however, I pledge you the greatest degree of cooperation in working towards a goal we here can attain—increased authority for the Government of the Ryukyu Islands.

I have promised that I will delegate to the Government of the Ryukyu Islands an increasing amount of authority as fast as you create the necessary laws and means to exercise that authority. In keeping with this promise, I have already forwarded to the Chief Executive a list of 29 items of High Commissioner legislation which I shall rescind as soon as you pass enabling legislation and establish the requisite machinery to handle these functions.

In the field of economics, I extend my sincere congratulations to Chief Executive Matsuoka and his administration, to the legislators who supported his program, and to the leaders of the Okinawa business community for the tremendous progress achieved during the past year. Look about you; evidence of progress is everywhere, and this progress was brought about through mutual cooperation and effort.

In Fiscal Year 1966, which ended last June 30th, phenomenal progress was made in all sectors of the economy. The economic growth was unprecedented in Ryukyuan history with the Gross National Product recording $435.5 million, an increase of 18 percent over the $369.1 million of the previous year. This was the largest annual gain ever recorded for these islands. National Income rose to $401.9 million, a gain of 18.2 percent over the previous year, and Per Capita Income increased from $364 to $426, a rise of 17 percent over Fiscal Year 1965. These figures are not just cold statistics; they symbolize the efforts and industry of your people. The results show what can be achieved by Ryukyuan-American cooperation and dedication to common goals.

An intelligent and objective analysis of this record reveals that the role of the United States was a key one. The tremendous financial input of United States expenditures and activities in Fiscal Year 1966 was $239.5 million, which more than counterbalanced the external trade deficit caused by imports of $267.8 million and Ryukyuan exports of only $79.1 million. The benefits of this tremendous United States input have contributed immeasurably to your enviable position of full employment. Externally, these benefits are obvious to the casual observer, and are reflected daily in the great increase in the number of privately owned vehicles; more households with television sets, refrigerators, washing machines, and air condi-

tioners; the quantum jump in personal consumption expenditures and personal savings. All of these are significant indicators of a higher standard of living for the people of the Ryukyu Islands.

The Government of the Ryukyu Islands is to be congratulated also for the very significant gains made in the social field during the past year. The creation of a retirement annuity plan and a medical insurance system were major steps forward. In public health, the new Okinawa Central Hospital was opened—one of the most modern medical facilities in the Far East. In education, a new commercial institute and a new trade and vocational school came into being and began the development of new skills and techniques for the youth of the Ryukyu Islands, in order to give them a better chance of finding gainful employment in the community. There were also constant efforts to raise the scholastic standards, and to improve the welfare of the teachers. Already, using accepted barometers of educational progress, the Ryukyus are on a par with some of the more progressive prefectures of Japan in such areas as the modernization of school buildings, the number of classrooms available, and the number of pupils per teacher. In fact, your vocational training establishments are among the most advanced in the Far East. In the matter of teachers' salaries, the starting pay for elementary and junior high school teachers compares most favorably with the pay scales in Japan. It is true that Japanese teachers enjoy, in some respect, greater fringe benefits than their counterparts here. However, where gaps do exist, I firmly believe that effective and appropriate remedies can be found.

I wish now to add a few words on the matter of law and order. Recently crimes involving both Americans and Ryukyuans have increased. We all regret this. I know that each of you subscribes to the principle that no one is so big that he is above the law, and no one is so small that he cannot look to the law for protection. To make this principle work, I firmly believe that we must not only develop a greater respect for the law, but we must also detect and deter the crime-prone elements in every echelon of our society. For my part, I have doubled the military police protection in those areas where there is the greatest potential for lawlessness and disorder. The Executive Branch of the Government, for its part, has provided additional police to participate in the joint walking patrols. For your part, I hope that you will support the efforts of your Executive Branch and not permit the subject of law and order to become enmeshed in politics, because this area affects the lives and well-being of each of your constituents and every inhabitant of these islands, regardless of nationality or party affiliation. Together, we can root out the evil of lawlessness. I am confident that through our mutual cooperation we can achieve a new level of respect for law and order in these islands.

This leads me to my final point. The confusing news from Communist China and the situation in the Far East in general make the United States base in the Ryukyu Islands essential to the security of the Ryukyus and Japan. Until this picture clarifies, I urge you to devote a considerable portion of your time and energy in planning for that day when the situation in the Far East will allow reunification with Japan. Pending the arrival of that day, we can promote the continued progress of the people of the Ryukyu Islands by working diligently and harmoniously together. Admittedly, problems will arise which will take our combined efforts to solve, but I can assure you of the fullest cooperation on the part of the United States Civil Administration in finding just solutions. I have confidence in your wisdom and ability to shoulder the political responsibilities entrusted to you, and I am confident that this, the 33d Session of the Legislature, will establish an enviable record of progressive legislation to promote the welfare and well-being of all the people of the Ryukyu Islands.

Thank you.

MRS. LIBBY HIRSH, PRESIDENT, BALTIMORE COUNCIL FOR INTERNATIONAL VISITORS

Mr. TYDINGS. Mr. President, one of Baltimore's contributions to the success of our foreign policies is Mrs. Matthew H. Hirsh, president of the volunteer association, the Baltimore Council for International Visitors.

Libby Hirsh and the council are the gracious hosts for more than 1,500 foreign visitors to Baltimore each year.

Her good works include service for Federal agencies, including the State Department, who seek expert assistance in arranging visits for visitors to our Nation.

She is a remarkable woman whose remarkable career is a demonstration of the invaluable services that private citizens can contribute to their Government. She is one of those citizens whom the late President held up as an ideal when he said:

> Ask not what your country can do for you. Ask what you can do for your country.

Some highlights of Libby Hirsh's career have been described in an article entitled "Feminine Gender," which was published in a recent issue of Baltimore Magazine.

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:

FEMININE GENDER

(By Anne Hitch)

She keeps executive office hours 10 to 4, but takes a portfolio of work home at night; juggles weekly office schedules for a dozen women; assumes final responsibility for some 1,500 visitors to Baltimore each year and receives no salary whatsoever.

She is Mrs. Matthew H. Hirsh ("Call me Libby, won't you?"), president of the all-volunteer Baltimore Council for International Visitors (BCIV), one of the busiest women in town and certainly one of the best informed on the hows and wheres to get things done.

She's more than well acquainted with the specialized services of the major community organizations—she's been on a good number of their boards. She can match press contacts with the best of local public relations men and has three scrapbooks of BCIV clippings to prove it.

Yet her sole concern is simply to make an international visitor's stay in Baltimore a little more pleasant.

Requests for BCIV help come from government agencies in Washington as well as from Maryland-based interests. The State Department may be programming a tour of the country's major industries by a group of young Scandinavian political leaders. The schedule for visiting Baltimore's plants and mills is set up, but could the council arrange a dinner for the men in local homes one evening? Or perhaps a special afternoon at the Walters Art Gallery or a trip aboard the Port Welcome?

The requests come in by mail, telephone and sometimes urgent telegram to the little BCIV office (rent and expenses paid by donations from supporting and individuals and organizations) in the Aurora Federal Building. A corps of telephoning and letter writing volunteers make the arrangements from an amazingly detailed cross reference card file of business and industrial contacts, and the more than 500 host families in the greater Baltimore area.

Every family is categorized according to languages spoken, number and ages of children, husband's field, travel abroad, number of visitors that can be accommodated for a meal or overnight. Each guest and the date of his visit is duly recorded on the back of the card.

The file has expanded appreciably since it was first compiled three years ago from the lists of families that had registered for international guests through the United Nations Association of Maryland, the YWCA International Center and the Red Cross.

"These three groups in particular had been working on hospitality for international visitors," Mrs. Hirsh begins. "Several of us who were on more than one of the boards realized that there was not only duplication of services, but a whale of a lot yet to be done.

"After a few discussion meetings we decided to try some kind of coordinating effort. And as we started looking for someone among us to head this new project, we realized everyone was gainfully employed except me. So I agreed to take on the job for one year.

"That was three years ago."

The fledging organization opened its first office in the kitchen of her brownstone home on Mt. Vernon Place. "We used the Red Cross mailing facilities, the 'Y' for a return address and my home phone number."

Scarcely more than a year later the committee had grown to council size and had earned recognition as an affiliate of COSERV, a nationwide network of international visitor organizations.

The kitchen office has been abandoned for some time now, of course, and the Hirshs have moved into a tenth floor apartment overlooking the city at 3900 North Charles. But her home telephone number still appears on the official welcoming letter sent out to every visitor.

"It's only an emergency number now," she relates, "and really there aren't too many emergencies. Once in awhile a visitor may call if he's not able to cash a check or if he's become ill during the night.

"Generally, though, after a visitor's arrived, the major problems are over. But if he somehow gets lost from the group or should he get here a day ahead of time, I'm in for a rather lengthly session on the phone."

Her husband, senior vice president of J. Shoeneman, Inc., fully understands the phone calls and the meetings and the unpredictable home schedules—he's a committee veteran, too. This year he is devoting his "leisure time" to the education committee charged with the administration of Friends School.

"In our Friends Meeting we have no minister, so we have to do everything by committees," Mrs. Hirsh observes, "Committee work becomes part of our lives."

Some of her early work was with the Stony Run McKim board, and for some time she chaired the Ladies McKim Committee. And when her daughter was a Girl Scout, Mrs. Hirsh served a stint as a troop leader. That daughter has married and moved to Cleveland now, leaving Mrs. Hirsh in her self-designated "post parental" period, the time in their lives that most women reserve for volunteer work.

But Mrs. Hirsh's volunteering dates back to her years at Goucher College when she managed to spare some time each week to help out at the Baltimore Museum of Art.

"The museum was a natural choice," she recalls. "I can't remember a time as a child

when I wasn't taking a Saturday course in painting or drawing at the Maryland Institute. I started the classes while I was in elementary school and went right on through the high school years at Forest Park."

It followed, then, that she major in art history for her B.A. at Goucher and go on to earn a master's degree in fine arts from Johns Hopkins University.

And in 1946 she went off the volunteer roster at the museum to take a salaried job there.

"Officially I was in the curator service, but in actuality I did all kinds of work from cataloging to painting signs and mounting prints. In those days, you know, the museum was very much like BCIV is today—everyone doing everything."

Since leaving the museum staff in 1952 Mrs. Hirsh has continued as a volunteer there on occasion, and goes to the exhibits and special events as often as she possibly can.

"My free evenings are regretably few," she explains, "but I do try to take in the museum and the symphony, too."

International visitors is a year-round business. There is no seasonal letdown for either the council or its president.

"We do take one trip each year for just a few weeks—but maybe someday I'll just take off on a two year trip around the world to return the visits of some of the people who have been here."

She pauses momentarily, silently calculating.

"Yes," she resumes brightly, "in two years I just might be able to see a goodly share of them."

THE OUTSTANDING YOUNG MAN AWARDS TO FIVE MARYLANDERS

Mr. TYDINGS. Mr. President, the Baltimore Junior Association of Commerce has presented its annual Outstanding Young Man awards to five Marylanders who are truly outstanding as citizens in service to their community. The five are:

Stephen E. Ambrose, associate professor of history at Johns Hopkins University and author of "A History of West Point";

Brother Anthony Ipsaro, S.M., superintendent of schools of the Archdiocese of Baltimore, with responsibility for the education of more than 75,000 young people;

Robert C. McAllister, television producer at Baltimore television station WJZ–TV, who is well known for his highly popular children's programs in Baltimore and selfless efforts to entertain children in Baltimore hospitals;

Paul S. Sarbanes, attorney at Venable, Baetjer & Howard, a member of the Maryland House of Delegates, and one of the State's most promising young political figures;

George S. Wills, associate director of public relations at Johns Hopkins University and an exceptionally active member of the Commission on the General Assembly and the Constitutional Convention Referendum Commission.

These five gentlemen represent the ideals of citizenship which are the only real foundation of our republic and democracy. I add my congratulations to those which they have already earned.

Mr. President, I ask unanimous consent that the article entitled "The Jaycees' Outstanding Young Men of the Year," which was published recently in Baltimore Magazine, be printed in the RECORD to give a fuller account of these citizens' careers and contributions.

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

THE JAYCEES' OUTSTANDING YOUNG MEN OF THE YEAR

Five young men were honored by the Baltimore Junior Association of Commerce last month at its annual Outstanding Young Man Award Luncheon. The luncheon speaker was the Archbishop of Baltimore, Lawrence Cardinal Shehan.

The program is held each year to give recognition to outstanding young men in the community who have made lasting contributions in business, professional and community activities. The five winners this year were chosen from a group of 32 nominees. They were: Stephen E. Ambrose, Associate Professor of History at Johns Hopkins University; Brother Anthony Ipsaro, S.M., Superintendent of Schools of the Archdiocese of Baltimore; Robert C. McAllister, television producer at WJZ–TV; Paul S. Sarbanes, attorney at Venable, Baetjer & Howard and member of the House of Delegates; George S. Wills, Associate Director of Public Relations at Johns Hopkins University.

Professor Ambrose is considered one of the foremost young historians in the country. He has a long list of publications to his credit, and besides teaching a full schedule of classes, he is associate editor of the Eisenhower Papers project at Hopkins. One of the most extensive historical projects ever undertaken, it will involve studying some 15,000,000 documents and papers. A favorite of his students, he recently made news by leading his military history class over a Gettysburg battlefield to prove that Pickett's famous charge lasted only 20 minutes. His most recent book, "A History of West Point," has received wide critical acclaim.

Brother Ipsaro, who entered the Marianist Order in 1949, is currently working on his Ph. D. at Catholic University. After serving two years as principal of the new Cardinal Gibbons High School, he was named assistant to the superintendent of schools for the Baltimore Archdiocese, and last year, at the age of 34, was named superintendent. The system includes over 61,495 elementary students and 14,000 high school students. Among the community activities which he has served are the Red Cross, Baltimore Safety Council, Baltimore Chapter of the Maryland Association for Retarded Children, and the Bon Secours Hospital School of Nursing.

Robert McAllister developed an interest in magic at an early age and went into broadcasting in his native Norfolk, Va., at the age of 18. He specialized in children's programs, and in 1964, he came to Baltimore and joined the staff of WJZ–TV. His six-times weekly program, "The Bob McAllister Show," has become the highest rated children's program in the Baltimore-Washington area. In addition, he frequently entertains at children's hospitals in the area. He has served as honorary chairman of the Junior Orioles and of the Muscular Dystrophy Association's "Carnivals for M.D." program, which has raised $15,000 for research in the past two years.

The son of Greek immigrants, Mr. Sarbanes is a native of Salisbury, Md. He graduated from Princeton, where he was a scholarship student, with highest honors. As a Rhodes Scholar, he studied in England for three years, then took his LL.B. degree from Harvard Law School. Besides being a practicing attorney, he has served public assignments at all levels of government, including the federal; he was assistant to Walter W. Heller, President Kennedy's chief economic adviser. He is vice president of the City-County Democratic Club, a member of the board of the Citizens Planning and Housing Association and Mt. Royal Improvement Association.

Mr. Wills is a graduate of McDonogh School and Penn State, following which he received an M.A. from the University of Virginia on a Woodrow Wilson National Fellowship. He is now working on his Ph. D. at Hopkins in political science. He is chairman of the Commission on the General Assembly (Wills Commission), member of the Constitutional Convention Referendum Commission, chairman of the March of Dimes and president of the Maryland Young Democrats. In 1963 and 1964, he served as special agent for the Office of Naval Intelligence and is now a lieutenant in the Naval Reserve.

THE HEADSTART PROGRAM

Mr. TYDINGS. Mr. President, as one of the most popular and successful of all the war on poverty programs, Project Headstart has many boosters and many advocates. Those who carry the message best are those who know the children this program touches, and who listen to the earnest adults who share the task of opening a new world to poor, deprived children. Writing in the Baltimore Sun, Albert Sehlstedt, Jr., of the Washington bureau of the Sun, recently brought this program to life in terms of the people in it. I ask unanimous consent to have printed in the RECORD his series of three articles on "Breaking the Wall."

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

[From the Baltimore (Md.) Sun, Feb. 11, 1967]

BREAKING THE WALL, I—HEADSTART: A BOLD ATTEMPT TO SNAP THE POVERTY CYCLE

(By Albert Sehlstedt, Jr.)

WASHINGTON, February 10.—The Federal Government has found a promising approach to a labyrinth of social problems that go by the name of poverty.

The approach is Head Start, a national effort to prepare poor children for elementary school.

DISCOURAGEMENT

A suggestion that anyone needs to be prepared for an education that is by definition elementary may seem odd to middle-class people, or middle-aged people who vaguely remember the first day of school as an unsettling experience, but hardly an insurmountable one.

However, to a child who does not know the difference between yellow and blue; who has never heard of *Peter Rabbit;* who has to be told that a cloud is a cloud—to such a child, the beginning of an elementary education can be the beginning of discouraging incomprehension, frustration and, finally, defeat.

Putting aside altruistic considerations, defeated people are a costly burden to the nation. Their failures take many forms which drain state and local treasuries, too.

But helping poor children is not a new idea, and kindergartens and nursery schools are a part of the national life.

GOES BEYOND

Head Start, however, goes beyond these familiar ideas of assistance and schooling for small children.

Head Start reaches into the family and invites parents to become involved with helping their children.

"One of Head Start's primary goals is to make parents more aware of what young children are like, what they need, and how, as parents, they play a decisive role in their children's growth processes," according to an evaluation of the program by the Early Childhood Education Council of New York.

BREAKTHROUGH

"If this part of the work with parents is successful, the program will achieve a major breakthrough in improving child-rearing practices," it is stated in the evaluation written by Mrs. Clara Fox, project director of Integrated Pre-School and Parent Opportunity Centers in New York.

"It will affect not only those directly involved, but parents and children throughout the community," Mrs. Fox wrote.

"Furthermore, as parents become less anxious in relationships with their children and begin to experience some of the joys of parenthood, they become more stable and feel less guilty, harassed and oppressed.

"They become more capable of coping with life's problems."

INNOCENT VICTIMS

Sargent Shriver, director of the Office of Economic Opportunity, which oversees the national Head Start program from Washington, has observed that children are the most innocent victims of poverty, but are also most easily removed from its grasp.

"By meeting their need for attention and affection, by tending to medical needs that drain their energy, by opening their minds to the world of knowledge, we can set them on the road to successful lives," Shriver has said.

"We can break the vicious cycle that would turn them into poverty's parents.

"This is Head Start."

Head Start is more. It is popular.

Indeed, its success on the domestic front in the Johnson Administration invites comparison with enthusiasm for the Peace Corps as an international project in the Kennedy Administration.

What everybody seems to like about Head Start is the subject matter at hand; children.

Last year, for example, President Johnson asked Congress for $310,000,000 for Head Start. Congress gave him $352,000,000.

"Project Head Start is like having a prayer answered," said a Head Start teacher from Kentucky. "This we had hoped and dreamed for during all our years of teaching, but never expected to see."

"LESS TEARFUL"

Another teacher commented: "I see more children less tearful, less fearful. I see more smiles, more working together with classmates and adults. . . . The interaction of a child with a helpful adult may be the most important factor in all these gains."

Though Head Start is directed federally, it is applied locally.

The program works through 7 regional offices covering the 50 states, but individuals and organizations in various cities and towns set up the local units that deal directly with the pre-school children.

The organizations are known as Community Action Agencies, established with OEO funds. These agencies are composed of civic leaders, people from the fields of education and labor, and other interested groups; and from the poor, themselves.

LOCAL ADMINISTRATION

A community action agency may administer a Head Start project, or delegate the administration to another nonprofit group, civic, fraternal or religious, or to a school board. School boards, in fact, administer about 70 per cent of the Head Start projects in the country.

Washington contributes 80 per cent of the necessary money for a local Head Start project. The remainder is raised locally, but can be in the form of "in kind" contributions; that is, volunteer work by local people, or the furnishing of school supplies or a building to house the project.

Head Start got under way nationally in mid-1965 with 200,000 volunteers and with 561,000 children taking a short (eight-week) summer course. The number of children was five times as many as expected. Last summer, Head Start attracted 573,000 youngsters.

There are now 94,000 children in a year-long Head Start program, and OEO expects to have 170,000 in this course by the end of June.

To date, more than 1,300,000 children have had a summer course or full year's instruction under Head Start.

However, there are 3,000,000 poor children who enter the first grade each year. To reach all of them, more teachers, more classrooms and more money would be needed.

The blueprint for Head Start was a report to Sargent Shriver prepared two years ago at his request by a planning committee composed of some of the nation's top specialists in the fields the proposed work would encompass.

Dr. Robert E. Cooke, chairman of the department of pediatrics in the Johns Hopkins University school of medicine, was the committee chairman.

The report was entitled "Improving the Opportunities and Achievements of Children of the Poor," and it made a number of points. Among them:

"There is considerable evidence that the early years of childhood are the most critical points in the poverty cycle. . . .

"It is clear that successful programs of this type must be comprehensive, involving activities generally associated with the fields of health, social services and education. . . .

URGENCY CITED

"The need for an urgency of these programs is such that they should be initiated immediately. . . ."

The Cooke committee listed the objectives of the work to be done, including:

1.—Improving a child's health and physical ability.

2.—Helping his emotional and social growth by encouraging self-confidence, spontaneity, curiosity and self-discipline.

3.—Improving the child's mental processes and skills.

4.—Developing in the child and his family a responsible attitude toward society, and giving society an opportunity to help.

5.—Increasing the sense of dignity within a child and his family.

The committee recommended, too, that the child's parents should be involved in the program for their own benefit as well as the youngster's.

BREAKING THE WALL, II—CHILDREN FIND WHOLE NEW WORLD

(By Albert Sehlstedt, Jr.)

WASHINGTON, Feb. 11—Miss Wendy Burk, 27, pretty and dressed in a sweater and slacks, speaks knowledgeably about small children. She has fifteen.

They are her charges from 8:30 in the morning until they go home in the early afternoon from their Head Start School in a drab neighborhood near the Capitol. All the children are about 4½ years old.

CHILDREN UNAWARE

Head Start is a nation-wide project to prepare pre-school children for the first grade, and in a larger sense, to free them from a cycle of poverty they entered at birth.

Miss Burk deals with children many parents would not recognize.

The Head Start youngster is not necessarily obstreperous, delinquent or stupid, but unaware; unaware of many things other children take for granted, like building blocks, paints and paste, and what can be done with various kinds of toys.

More importantly, Miss Burk's children may also be unaware of intangible things, such as the fun of imagining you are somebody else or dramatizing a fairy tale.

And most important, the children can be unaware of the indescribable satisfactions of living that simply come from talking to other people, listening to them and loving them.

WALL BUILT UP

Miss Burk, and the people who help her at the Head Start school, try to bring these things to children who sometimes have built up a wall between themselves and the rest of the world because of material, cultural and spiritual deprivations that all too often accompany poverty.

"Their major handicap is a lack of play, of conversation and inter-relationships with adults and other children," Miss Burk said. "That is what these children need more than anything else.

"Children learn to talk by talking to their mothers. But their mothers may be too tired, or lack the time, or talking is just not a value to the mothers." She stressed the word "value."

"TOLD TO BE QUIET"

"These children at home are very subdued; put in front of a television set and told to be quiet. They are rarely talked to or held.

"This is what we try to make up for. We do a lot of talking. We try to give them information as we go along. We are always subtly throwing in information," she said.

The children will go for walks and climb on a statute in a park, not just for fun, but so they will begin to understand what a statute is.

Miss Burk talked about the children one day after they had gone home.

FORMER WAREHOUSE

She sat in a large room, once part of a warehouse.

The place was clean, with a tile floor and well-painted walls made of brick and cinderblock.

Around the floor were tricycles, a hobby horse and a wagon.

A low table held clay for modeling. Another table was for painting, and another was a table for eating breakfast and a mid-morning snack, and lunch before the children went home.

But the most fascinating thing about the room was that it was split level, for some reason, with a sloping ramp joining the two levels. The ramp was great for riding a bike down.

The room had another advantage. There was plenty of open space; more than active kids might find even in an affluent suburban living room or play room.

At one end of the room was a kitchen with a big refrigerator, stocked with meats and vegetables. The kitchen shelves were lined with cream of wheat, corn flakes, jellies and lots of peanut butter.

WHOLESOME FOODS

Mrs. Wille Mae Atkins, the cook, often helps to introduce the children to wholesome foods, appetizingly prepared, and sometimes new to the youngsters.

The children will hesitate over some vegetables, claiming not to like them, though they may have never tasted them. Persuaded to give it a try, they can become ravenous.

Parents are encouraged to visit the school, stay the whole day if possible, and offer their criticism or advice.

Most parents spend one day a month at the school so they will be able to apply at home some of the things learned about adult relationships with children.

NEIGHBORHOOD HOUSE

The school is operated by the Guy T. O. Hollyday House, named for a Baltimorean and former United States commissioner of housing. Hollyday House has been helping the neighborhood since 1958 and was operating a pre-school program before the Federal Head Start project began.

The daily routine begins with a play period followed by a snack at 9:30 A.M.

"Go-out time" follows, if the weather is good.

"We take a walk in the neighborhood and teach them about the clouds, the shade, churches and stores, or construction projects, and we take nature walks," Miss Burk explained.

A WALK WITH MISS BURK

A walk with Miss Burk and the children can be uneventful for an adult until he gradually realizes how much the kids enjoy it.

And one of the reasons they enjoy it ultimately becomes clear even to an observer long set in his ways.

Everything the children see and hear is, to them, worth talking about. The sidewalk, the curbstone, an alley to be explored, an open door swinging back and forth in the wind, a steep pile of dirt to be climbed.

The pile of dirt was really steep, about 10 feet high, and tightly packed so that the pebbles imbedded in the surface made it slippery. It was tough going up and even tougher coming down.

Some of the children hollered with delight. Others were quiet and seemed a little worried about the steepness. But everybody made it and obviously enjoyed it. It was Everest, for that morning at least.

They all seemed fairly normal children playing on a cold day, except that one boy had shoes but no socks. A few had no gloves and they tried to keep their hands warm by putting them in the hip pockets of Miss Burk's slacks as they all walked along, but that did not work very well.

Miss Burk was asked later to assess these children, as she saw them, and to discuss their strength and weaknesses.

"FALSE STRENGTH"

"They have a false strength, which is a certain measure of independence," she replied.

"They are out on the streets playing, and left to take care of themselves, unlike middle-class kids who may be too attached to mother.

"They are tough little kids. This is a strength, and a sad thing, too. We have had to teach them kindness and gentleness. They find out a new kind of people exist.

Then Miss Burk's face lighted up.

"What's so great about them is their spontaneity," she said.

FIGHTS, SOMETIMES

They also fight among themselves, but she thought that represented a need for physical contact.

It is apparent that Miss Burk and many people like her answer some of their needs by simply being there.

At one point during the course of a busy morning, she knelt on the floor to talk to a very small little girl.

The child reached up with both hands and grasped Miss Burk's long brown hair and tried to tie it beneath the teacher's chin.

The gesture seemed to reflect an intimacy and confidence that had already helped to give the child a head start.

BREAKING THE WALL—III: HEADSTART CHALLENGES CONVENTIONAL EDUCATION IN UNITED STATES

(By Albert Sehlstedt, Jr.)

WASHINGTON, Feb. 12.—Head Start, a Federal program to prepare poor children for elementary school, has been called a "fresh breeze in American education."

The Government is now considering ways to extend the program into the early grades of elementary school. The "fresh breeze" may become, for a time a wind of controversy.

PARENTS INVOLVED

Local reaction of teachers and school boards may not be universally favorable at first, if ever. But in the long run, the results could benefit elementary education generally.

One unusual aspect of Head Start has been the degree to which it involves parents in what may loosely be described as the Head Start classroom.

Mothers and fathers of Head Start pupils are encouraged to visit class sessions when possible and help professional teachers and volunteers bring to the youngsters some of the fundamentals of childhood; playing with paints; experimenting with clay; listening to stories, and, thereby, learning what every boy and girl should know before their regular education begins.

Suppose parents came into the more formalized atmosphere of the first, second and third grades of a typical elementary school?

COMMUNITY INVOLVEMENT

That would be a step toward involving schools, school systems and educators more deeply in the affairs of the community, because the parents would bring with them their points of view. After a period of awkwardness and hesitation, the parents—particularly poor parents long-fearful of resentful of authority and its symbols—might begin to develop a rapport with the school, its teachers and administrators.

The school would eventually become a community center, perhaps.

Government officials are thinking about these things now.

Sargent Shriver, director of the Office of Economic Opportunity, which directs Head Start, said in a November speech in Milwaukee that the present school system, especially in cities, is "critically inadequate to meet the needs of children of poverty."

The inadequacies, as Shriver sees them, can be enumerated by listing the remedies he suggested.

1. Reduction of the present teacher-student ratio to correspond to the ratio now used in Head Start; one teacher to every fifteen children.

2. Bringing more adults into the classroom by using new sources of education manpower, such as teacher aides and volunteers. "Head Start has proved that the very presence of interested adults does much to motivate the child and give him the incentive to succeed," Shriver said.

3. Establishment of tutorial assistance for children, using students from high school and college to help the elementary pupils.

4. Involving parents in the activities of every public school. "This," said Shriver "does not mean the traditional P.T.A. meetings in the auditorium at night; rather the establishment of neighborhood councils and community associations which could find the schools open to them during the day."

5. An adequate amount of necessary equipment and supplies, such as books, toys, films and electronic learning aids.

6. Training programs to open up a new education career called child development specialist; a person who would work exclusively in the primary grades diagnosing obstacles to a youngster's progress and asking when necessary, for the help of psychologists, sociologists or reading specialists.

Shriver was not suggesting that all these changes occur immediately.

"Any urban school system, with imagination and a reasonable use of resources could, however, tackle the job one grade at a time; the first grade next year, the second grade the year after, and so on," he said.

Shriver was talking about a plan that was first called Project Keep Moving, but is now referred to as Follow Through. Either way, the idea is the same; to bring the benefits of Head Start into the lower grades of the elementary school.

President Johnson, in his budget message to Congress, requested $135,000,000 for fiscal year 1968 (beginning this July 1) "to continue special services to these children in the primary grades, so that they will not lose the benefits of Head Start experience."

Shriver's remarks in Milwaukee reflected to some degree the observations of a specialist in the Office of Education of the Department of Health, Education and Welfare.

In a paper on prekindergarten education programs, Dr. Minnie Perrin Berson discussed Head Start and then looked to "potential changes in elementary education."

NUMBER OF POSSIBILITIES

Dr. Berson cited a number of possibilities, including:

1. Institutes and workshops to give kindergarten and primary school teachers broader child development backgrounds.

2. A trend toward staffing preschool and primary programs with child development specialists.

3. Staffing elementary schools to include neighborhood aides, volunteers and teacher interns.

4. New design in school buildings with spaces for younger children and parents.

5. An expanded school-community role for the elementary school principal.

All of this sounds like a lot of money and it is. It would probably mean large new outlays in a Federal budget that has earmarked $11,000,000,000 next year for aid to all education, training and allied programs.

But there are those who argue that it is worth it.

Dr. Berson looks at the situation this way: "If it's an expenditure, it's high. If it's an investment, it's very cheap."

She said it costs about $3,500 a year to maintain a prisoner behind bars; $2,500 a year to keep a family on relief, and $1,700 a year to help train a delinquent child for a useful life.

MORAL AND FISCAL

The implication here, of course, is that those dollars could be much better spent—both from a moral and fiscal standpoint—on helping children before they become tax eaters, as opposed to tax payers, as President Johnson has put it.

From a purely educational point of view, the Federal approach to Head Start and to Follow Through may herald a new era in American public education, with far more parents involved in the school and more emphasis on the development of the individual child.

Dr. Berson has used the phrase "vital community center" in discussing what a school of the future may be and its relation to the area it serves.

ADAPT TO CHILD

As some people see it, there would also be more emphasis on adapting the school curricula to the child, rather than having the child adapt to the school. The latter may be more convenient to the teachers and principal but less beneficial to the child.

To the extent that these ideas become realities, there could develop opposition from some teachers and school administrators, motivated not only by a reluctance to change but also by very practical reasons for maintaining past practices.

Washington is not the repository of all wisdom, it has been argued, and the development of a national approach to education may benefit New Jersey but cause problems in Wyoming, or vice versa.

Among the people who recognize their limitations are some of those in the Federal Government associated with Head Start and thinking about its application to the elementary grades.

They recognize that they face some difficult problems. But they also believe there is considerable room for improvement in the early education of American children.

THE POLLUTION SCANDAL

Mr. TYDINGS. Mr. President, the able Senator from Wisconsin [Mr. NELSON] has written a horror story entitled "The National Pollution Scandal," which

has been published in the February 1967 issue of the Progressive magazine. The horror story is an account and an accounting of how we have destroyed our rivers and lakes, even our streams and ponds, by making sewers of them.

Senator NELSON documents the price we now must pay to reclaim this no longer natural resource, our water. The price is measured in the billions of dollars, but we must pay it because the survival of the Nation depends upon it. The need for what Senator NELSON proposes is undebatable.

Senator NELSON's article is the most excellent description I have yet read of what truly is a national scandal—the poisoning of our waters. I commend it to the attention of the Senate and the Nation.

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:

THE NATIONAL POLLUTION SCANDAL

(By Senator GAYLORD A. NELSON)

The natural environment of America—the woods and waters and wildlife, the clear air and blue sky, the fertile soil and the scenic landscape—is threatened with destruction. Our growing population and expanding industries, the explosion of scientific knowledge, the vast increase in income levels, leisure time, and mobility—all of these powerful trends are exerting such pressure on our natural resources that many of them could be effectively ruined over the next ten or fifteen years.

Our overcrowded parks are becoming slums. Our birds and wildlife are being driven away or killed outright. Scenic rural areas are blighted by junkyards and billboards, and neon blight soils the outskirts of most cities. In our orgy of expansion, we are bulldozing away the natural landscape and building a cold new world of concrete and aluminum. Strip miners' shovels are tearing away whole mountains and spreading ugly wastes for miles around. America the affluent is well on the way to destroying America the beautiful.

Of all these developments, the most tragic and the most costly is the rapidly mountain pollution of our lakes and streams.

Perhaps the pain is more intense for a Senator from a state like Wisconsin, bordered on three sides by the Great Lakes and the Mississippi, blessed with 8,000 inland lakes and hundreds of rivers and trout streams. Actually, our state seems rather fortunate at the moment. A yachtsman on Lake Superior can raise a bucket of water still crystal-clear and cold enough to drink with delight. Canoeists on the St. Croix or Wolf Rivers still shoot through frothing rapids of sparkling water, and catch fish in the deep, swirling pools.

But the bell is tolling for Wisconsin just as for all the nation. A recent survey of twelve major river basins in southeastern Wisconsin found not a single one fit even for the partial body contact involved in fishing of wading. A competent governmental agency concluded that 754 miles of rivers in this region had been turned into open sewers. Beaches along Lake Michigan, a vast blue sea with seemingly limitless quantities of fresh water, are being closed to swimmers. A sordid ocean of pollution is pouring into the Mississippi from the Minneapolis-St. Paul urban complex. The first serious signs of pollution are soiling Lake Superior, and our small inland lakes are, one by one, becoming murky and smelly and choked with algae.

Elsewhere, all across the nation, the same tragedy is being enacted, although in many areas the curtain already has come down. The waters are already ruined.

Every major river system in America is seriously polluted, from the Androscoggin in Maine to the Columbia in the far Northwest. The rivers once celebrated in poetry and song—the Monongahela, the Cumberland, the Ohio, the Hudson, the Delaware, the Rio Grande—have been blackened with sewage, chemicals, oil, and trash. They are sewers of filth and disease.

The Monongahela, which drains the mining and industrial areas of West Virginia and Pennsylvania, empties the equivalent of 200,000 tons of sulfuric acid each year into the Ohio River—which in turn is the water supply for millions of people who use and re-use Ohio River water many times over.

National attention has been centered on once beautiful Lake Erie, the great lake which is the recreational front yard of Buffalo, Cleveland, Toledo and Detroit, and which supplies water for ten million Americans.

A Public Health Service survey of Lake Erie made the shocking discovery that, in the 2,600 square mile heart of the lake, there was no dissolved oxygen at all in the water. The lake in this vast area could support no desirable aquatic life, only lowly creatures such as bloodworms, sludgeworms, sowbugs, and bloodsuckers.

Along with the germs and industrial acids which pour into Lake Erie are millions of pounds of phosphates, a major ingredient in detergents. Each pound of phosphate will propagate 700 pounds of algae. Beneath the waters of this great lake, largely hidden from sight, a hideous, cancer-like growth of algae is forming. As algae blooms and dies, it becomes a pollutant itself. It robs the lake of still more oxygen—and it releases the phosphate to grow another crop of algae.

Lake Erie is a product of its tributaries. A Public Health Service study of these American sewers is horrifying to read.

The Maumee River flows from Fort Wayne, Indiana, through Defiance and Napoleon, Ohio, and on to Toledo, where it joins the lake. Even as far upstream as Fort Wayne, the river has insufficient oxygen to support anything but trash fish and lower organisms, and as it flows toward Lake Erie conditions get steadily worse. The count of coliform bacteria runs as high as 24,000 times the allowable maximum under Federal drinking water standards. The concentration of carbolic acid, a byproduct of steelmaking, runs up to 137 times the allowable maximum. A packing company dumps 136 pounds of oil per day into the Maumee River. A plating company dumps thirty-eight pounds of cyanide per day. Defiance, Ohio, closes its sewage plant entirely for one to two months each year, and all its raw sewage goes directly into the Maumee.

Below Defiance, foundry dumps cinders and ashes into the river. The Maumee is joined by the Auglaize River, which is even more polluted than the Maumee, and is especially rich in ammonia compounds.

At Napoleon, Ohio, the city draws its drinking water from the sordid Maumee, and a soup company draws off ten million gallons a day for soup processing. (The firm assures me that its modern water treatment plant, complete with carbon filters, can "polish the water to a high quality.")

Below Napoleon, things get really bad. Forty per cent of samples taken by the Public Health Service showed presence of salmonella, an intestinal bacteria that can cause severe illness. As the Maumee flows into Lake Erie at Toledo, it gets its final dose of pollution—the effluent from the Toledo sewage plant and what the Public Health Service describes as "oil, scum, metallic deposits, and toxic materials."

Another Lake Erie tributary—the Cuyahoga—which flows into the lake at Cleveland, is described by the Public Health Service as "debris-filled, oil-slicked, and dirty-looking throughout." It is loaded with coliform bacteria and salmonella. It is so polluted with oil that it frequently catches fire. Structures known as "fire breaks" have been built out into the river to fight these blazes. In the Cleveland harbor, the Public Health Service could find virtually no conventional aquatic life. However, the sludgeworms which thrive on organic matter were well represented—400,000 per square meter on the harbor bottom.

That is the story of Lake Erie, and although it is so shocking and disgusting as to deserve urgent national attention, it is not unique. Southern Lake Michigan, ringed with oil refineries, steel mills, and municipal sewage outfalls, may be even worse. Scientists estimate that it would take 100 years to replace the polluted water of southern Lake Michigan, and some consider the pollution in this area irreversible.

We have our own Wisconsin pollution scandal in Green Bay, a magnificent recreational body of water in northeastern Wisconsin, widely known as a yachtman's paradise and site of a multimillion dollar resort industry. This "Cape Cod of Wisconsin" is threatened with ruin by a tide of pollution which is moving up the bay at the rate of more than one mile per year. The pollution comes from rivers such as the Fox, the Peshtigo, the Oconto, and the Menominee, which drain large areas of Wisconsin and northern Michigan.

The experience in Lake Erie, Lake Michigan, and Green Bay, has convinced many experts of this chilling fact: It is a definite possibility that the Great Lakes—the greatest single source of fresh water in the world—could be effectively destroyed by pollution in the years ahead. If this were to happen, it would be the greatest natural resource disaster in modern history.

That is the outline of this new American tragedy. The obvious question now is, what can be done about it?

First, I think we must learn what a complex and widespread problem we face in water pollution. Like crime, like death on the highway, pollution is a social problem which extends throughout our society. There is no single villain, and there is no simple answer. It must be attacked for what it is—a sinister byproduct of the prosperous, urbanized, industrialized world in which we live.

We must take care not to ride off in pursuit of just one villain—such as city sewage, or industrial waste, or detergents, or toilet wastes from boats; this is a battle which must be fought with skill and courage on many different fronts. Nor should we be fooled by the strategy of many polluters, who argue, in effect: "That pollution which we cause is minor compared to the big, nationwide problem. Why not leave us alone and go after the big offenders?" Even some of the lesser offenders in the pollution crisis could ruin us in time.

The primary sources of pollution are these:

MUNICIPAL SEWAGE—Despite heroic efforts and heavy investments by many cities, our municipal sewage treatment plants are woefully inadequate. Some cities have no treatment at all; others remove only part of the pollutants found in sewage. As a result, the effluent discharged by our cities today (treated and untreated) is equivalent to the *untreated* sewage from a nation of seventy-five million people.

INDUSTRIAL POLLUTION is roughly twice as big a problem as municipal sewage. Despite tremendous investments in research and treatent plant construction by some industries, the overall record is terrible. Some industries feel they cannot remain competitive if they spend heavily for treatment plants. Communities and states are reluctant to push them too far. As a result, industrial wastes (treated and untreated) now discharged into our waters are presently

equal to the *untreated* sewage of a nation of 165 million people.

SEPTIC TANKS—Vast sections of the nation have no sewer collection or treatment system at all. In such areas, underground septic tanks, often poorly made and undersized, are expected to distribute wastes into the soil. They overflow into natural watercourses, they leak bacteria and detergents into underground wells, and they are destroying lakes by filling them with nutrients that foster heavy growths of algae.

SHIPS AND MARINE TERMINALS—In selected areas, the discharge of toilet wastes, oil, garbage, and rubbish from ships and shoreline installations is a major problem. For some reason, this form of pollution is widely tolerated and enforcement of laws forbidding it is virtually nonexistent.

PESTICIDES—The terrifying prospect of spreading poison all over the globe confronts us. We now use more than 700 million pounds a year of synthetic pesticides and agricultural chemicals of 45,000 varieties. This volume is expected to increase tenfold in the next twenty years. Many of these poisons persist forever in the environment, and their concentration builds up geometrically as they progress through the food chain (water, seaweed, fish, birds, mammals). DDT residue has been discovered in penguins in Antarctica, in reindeer in Alaska, in seals, and in fish caught in remote areas of the Pacific Ocean. One part of DDT in one billion parts of water will kill blue crabs in eight days.

SILT—One of the most serious pollutants all over the world is the dirt which washes into our waters from off the land. This somewhat natural problem is disastrously aggravated by contemporary trends—widespread clearing of land for subdivisions and shopping centers; construction of highways and parking lots (which cause rapid runoff) and the intensive development of lakeshores and riverbanks. Controlling surface runoff and the siltation which it causes is complicated by our patchwork of political boundaries and the lack of coordinated government planning

DETERGENTS, FERTILIZERS, AND OTHER CHEMICALS—Some of these commonly used substances pass through even good waste treatment systems and become persistent pollutants. Such pollution can be eliminated only by changing the composition of such substances, regulating their use, or devising new removal techniques.

Obviously, any nation-wide problem made up of so many elements is extremely difficult to attack. Yet I believe that the rapidly accelerating destruction of our natural resources is our number one domestic problem, and the greatest of all our resource problems is water pollution. If we are to meet this pollution threat, if we are to save the waters of America and preserve this most indispensable part of our natural environment, we must make the war on pollution a high priority matter at every level of government—local, state and Federal—and we must insist that private industry do likewise.

Baffling and complicated as the pollution problem is, it is not insoluble. There is no reason in the world why a great and prosperous nation, with the money and know-how to shoot man to the moon, cannot prevent its lakes and rivers from being destroyed and its life-giving water supplies endangered.

Just as there is no single cause of pollution, so is there no single solution to the problem.

Consider the question of what to do about municipal sewage and industrial wastes. Why do we tolerate a situation where these two sources alone pour into our waters each year the equivalent of the completely untreated sewage of a nation of 240 million persons?

In the case of municipal sewage, it is largely a matter of lack of money, aggravated in some cases by a shocking lack of public concern. There are now more than 1300 communities which have sewer systems but discharge their wastes into the waters without any treatment at all. These communities have a population of more than eleven million people. How such a condition could exist in the year 1966—when it is generally illegal to throw a gum wrapper out of a car window—is inconceivable.

We have another 1300 communities—with almost seventeen million population—which treat their wastes but in a completely inadequate manner. In most cases, these are communities which use what is known as "primary" treatment. They screen their sewage and let the solids settle out, but they do not remove dissolved solids, salts, chemicals, bacteria, and special problems such as detergents. Every community should have what is known as "secondary" treatment, under which sewage—after primary treatment—is held in holding tanks, brought into contact with air and biologically active sludge, so that bacteria have a chance to consume the pollutants.

The Conference of State Sanitary Engineers estimates that it would cost $1.8 billion to provide adequate sewage collection and treatment for these communities which now have no treatment or completely inadequate treatment.

But even this would still leave us with a massive municipal pollution problem. Even good secondary treatment removes only eighty per cent to ninety per cent of the pollutants. Chicago, for instance, with a good secondary treatment plant, discharges treated effluent which is equivalent to the untreated, raw sewage of one million people. It dumps 1,800 tons of solids per day into the Illinois waterway. At the rate the pollution load is increasing it is estimated that even if all communities have secondary treatment plants by 1980, the total amount of pollutants reaching watercourses would still be the same as today. Obviously, we need a massive program to build highly effective city sewage treatment plants.

It is also obvious that local property taxes cannot support such a gigantic investment, and that if we wait for communities to do this on their own, it will never be done. Most state budgets also are severely strained, so much of this burden is going to have to be borne by the Federal government—if we want the job done early enough to be effective.

The Senate Air and Water Pollution subcommittee estimates that it will cost $20 billion to provide secondary treatment in plants serving eighty per cent of the population and more advanced treatment in plants serving the other twenty per cent. We have had a Federal program to assist communities in building such treatment plants for the past ten years, but it has been inadequate. It has recently been greatly improved, but it is still inadequate. In the past it has provided grants of up to thirty per cent within the limits of available funds. The most recent act—the Clean Waters Restoration Act of 1966—authorizes a total of about $3.6 billion over the next five years (150 million in 1967, $450 million in 1968, $700 million in 1969, $1 billion in 1970, and $1.25 billion in 1971). A community can get a grant for up to fifty per cent of the cost of a project, provided the state pays twenty-five per cent and provided water quality standards have been established.

New York needs an estimated $1.7 billion for new sewage plants. The new law would give it a total of only $307 million. Ohio needs $1 billion and would get $180 million. Wisconsin needs $286 million and would get $75 million.

If we are serious about the Federal government paying fifty percent of the cost of eliminating municipal pollution, then Washington must provide $10 billion—not $3.6 billion—and even then we will be expecting our hard pressed states and communities to come up with another $10 billion.

Personally, I think it is unrealistic to expect the states and localities to assume a burden of this size. And I do not think the nation can sit by and wait while its communities struggle to build up the financial resources and the political courage needed to do the job. I think we should get sewage treatment plants built the way we are getting interstate highways built—by offering ninety per cent Federal financing. I have introduced legislation which would establish such a program.

The municipal sewage problem is complicated by another problem—combined storm and sanitary sewers. By combining storm water and human wastes in one sewer system, many cities build up such a tremendous load during rainstorms that their sewage treatment plants cannot handle it. They have had to install automatic devices which divert the combined sewer loads directly into lakes or streams whenever it gets above a certain level. In this manner, sixty-five billion gallons of raw, untreated sewage goes into our lakes and rivers each year.

Most cities are separating storm and sanitary sewers in new subdivisions, but the task of separating the sewers in the older areas is a staggering one. Complete separation would cost an estimated $30 billion. It would cost $160 per resident in Washington, D.C., $215 in Milwaukee, $280 in Concord, New Hampshire. It would cost Wisconsin an estimated $186 million, Indiana $496 million, Michigan $970 million, New York and Illinois about $1.12 billion each. These are only general estimates of the direct costs and they do not take into account the disruption of traffic and the local economy caused by ripping up miles of underground sewers.

In the hope of avoiding such costs, the Federal government has underwritten several research projects to see if this problem cannot be met in some other way—through temporary underground storage of sewer overflows, for instance, or by building smaller sanitary sewer pipes inside existing storm sewers.

The staggering problem of *industrial* pollution is virtually untouched today by our Federal anti-pollution programs, even though industry contributes twice as much pollution to our waters as do municipalities. If we do not step up our industrial waste treatment plant construction, the pollution effect of industrial wastes alone by 1970 will be equal to the untreated, raw sewage from our entire population.

Industries are widely criticized for dumping wastes into our waters, and this criticism is often justified. They are pressured by local, state, and Federal officials. But some industries are able to avoid a serious crackdown against them by threatening to move. Most industries argue—sometimes effectively—that they cannot be expected to make massive investments in treatment plants if their competitors—often in different part of the country—are not forced to do so.

I have come to the conclusion that the threat of enforcement alone is not going to solve our industrial pollution problem. We must provide direct financial assistance to see to it that the plants are built. I have introduced legislation to provide both loans and grants of up to fifty per cent to industries whose size and economic circumstances prevent them from assuming the full burden of providing their own facilities. I think such assistance should be carefully limited and should be for a short period, but I do not think we can avoid it. We are going to pay the cost of industrial pollution in one way or another—in the cost of the manufactured product, in taxes, or in ruined water resources.

But massive construction programs alone are not going to solve our municipal and industrial pollution problems. We need a tremendous expansion of Federally supported research to find completely new answers. Our whole waste disposal system, from the household toilet to the municipal sewage treatment plant, is a holdover from another era. The system should be studied and redesigned, using the latest scientific techniques, and fitted into a coordinated, nation-wide system of waste disposal. Research grants should be made to private industry and universities to develop new methods and devices to refine, use, neutralize, or destroy pollutants. We should compute what our present waste disposal systems are costing us—including the loss in natural resources destroyed—and what alternative systems would cost.

Compared with municipal and industrial pollution, the other pollution problems I have mentioned are statistically small. For that reason, they are often ignored. But we cannot safely do that. Even if we managed to contain the flood of municipal and industrial pollution, the other sources could do fatal damage to our environment.

Septic tanks must be controlled at the state and local level, and in many areas I think we must forbid new installations and work to replace existing ones with sewer systems. For instance, once an inland lake is ringed with cottages with septic tanks, it is doomed. Septic tanks must drain somewhere and in most lakeshore settings the natural drainage flow is into the lake. At the very least, this drainage will fertilize the lake, cause the rapid growth of algae, and turn the lake into a murky, foul smelling mess.

Ship pollution is certainly serious enough to justify Federal action, even though such suggestions cause howls of protest from those who insist it "isn't practical." Why is it practical to install retention facilities on buses, house trailers, and aircraft but not on boats and ships? Obviously, we are willing to allow wastes to be dumped into our water supplies which we would never tolerate being dumped onto the land. We need Federal laws to require suitable facilities on all vessels using our navigable waters, and we need a better enforcement system to crack down on such disgraceful practices as dumping oil and pumping out oily ballast tanks on the Great Lakes and in our rivers.

The siltation problem can be controlled only through strict zoning and land use controls. We have got to prevent intensive development of our shorelines if we are to save our waters. Once a large portion of the natural vegetative cover is destroyed, the water resource is in danger. I believe that the Federal government should provide financial assistance to those willing to carry out soil conservation practices along our lakes and streams on a scale large enough to be meaningful.

Pesticides, detergents, and exotic new chemicals will plague us for years to come. New treatment systems may offer some hope for removing these substances, but I think they must be controlled directly. Those which cannot be removed safely in normal treatment processes, and those which have chemical structures which cause them to persist in our environment and to threaten fish, wildlife, and human health, should be banned or their use strictly regulated.

In speeches in some twenty-three states in the past four years, I have called for an emergency, crash program to fight water pollution. I have offered my estimate of the cost of conquering water pollution as $50 to $100 billion over the next decade. It now appears I may have been conservative. The Public Health Service now estimates that it will cost some $20 billion to clean up the Great Lakes alone, and the total national cost is now estimated at $100 billion.

But everywhere I have gone I have found the public willing to pay this cost to save their waters. In fact, I think the public is far ahead of local, state, and Federal officials in facing up to this crisis. I think that citizens in most communities would support a sharp crackdown on local polluters of every variety. I think they want their states to establish high water quality standards, and then enforce them. I think they can be shown the need for bold regional action to deal with those vast interstate pollution problems (such as on the Mississippi and the Great Lakes) which obviously are too big for any community or any state to handle.

And I think that the citizens of America now recognize that the destruction of the major river networks of the nation, the threatened destruction of the Great Lakes, and the slow ruination of our treasured inland lakes and trout streams is a calamity of such gigantic proportions as to deserve the urgent attention of all citizens and prompt action by the national government.

SUPPORT FOR THE PRESIDENT'S AIR POLLUTION PROGRAM

Mr. RIBICOFF. Mr. President, one of the most urgent matters before the 90th Congress is the nationwide problem of air pollution. This is a dangerous health problem to just about every city dweller in the country—for no metropolitan area has escaped unscathed.

The President's program has been very enthusiastically received, and deservedly so. I believe that President Johnson has offered the Congress and the American people a comprehensive and thorough program for air pollution abatement.

These are sound proposals. Emission control levels for industry should be fixed. Regional air quality commissions are needed. Annual vehicle inspections are vital. Research on fuel additives is extremely essential. The establishment of regional commissions to enforce air pollution control measures is long overdue. These, and other Presidential recommendations, will help the American people overcome this dangerous and inexcusable health menace.

As an example of the kind of support the President's program has engendered nationally, I ask unanimous consent that four editorials on this subject be printed in the RECORD.

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

[From the Denver (Colo.) Rocky Mountain News, Jan. 15, 1967]

BREATHE DEEP: BREATHE DEADLY?

Less than 24 hours after President Johnson in his State of the Union message called for "regional airsheds" to attack the problem of air pollution, the need for some such remedy was underscored by grim statistics.

Dr. Leonard Greenburg reported a study financed by the U.S. Public Health Service showed that higher death rates from respiratory cancer in Northern Staten Island, N.Y., probably resulted in part from air pollution produced by industrial complexes in neighboring New Jersey.

In the northern area, Dr. Greenburg said, the death rate among white males 45 years and older was 55.4 per 100,000 as against 40.2 in the central and southern areas of the island that were less exposed to pollution.

Dr. Greenburg, former New York City air pollution control commissioner, also said the Thanksgiving Day smog that blanketed the New York area could have been a "disaster" if it had lasted longer. He warned that air pollution, if permitted to continue, would produce a nation of "respiratory cripples."

Although New York is one of the most populous and industrially concentrated areas of the country, the air pollution menace has grown so pressing that even wide-open-space states such as Colorado admit to grave problems.

President Johnson's proposal for a "total attack on (air) pollution at its source" is urgent. And it is one domestic program from which all will benefit. Congress should give his "regional airsheds" plan high priority.

[From the Cleveland (Ohio) Plain Dealer, Jan. 31, 1967]

NEW PUSH IN AIR POLLUTION WAR

Congress should assign high priority to President Johnson's request for new weapons to wage a winning war against air pollution.

Unless action is taken now, that war will be lost within 10 years, the President warned in his special message to Congress yesterday.

Mr. Johnson had strong support for his assessment of the situation. The fact is that the war right now is going poorly.

Recent events have demonstrated that the ever-growing numbers of people, industries and automobiles are fouling air at a rate far beyond nature's tolerance. The once-rare instances of concentrated, polluted air collecting and laying a smothering blanket over American cities are now becoming frequent.

Efforts of local governments to control all the many forms of air pollution have been unsuccessful. To cope with today's emergency conditions, federal help and federal standards such as those outlined by President Johnson are needed.

The President very wisely acknowledged that federal action alone cannot solve the problem. He proposed legislation to set pollution emission limits for industries in interstate commerce but also proposed that such legislation encourage individual states to set equal or more stringent limits.

With his additional recommendation for the establishment of regional commissions to enforce air pollution control measures, the President also wisely heeded warning signals raised by the recent National Conference on Air Pollution. That December session in Washington gave voice to the idea that regional control of pollution is desperately needed over "air sheds" which extend beyond local and state boundaries.

Cost of regional control commissions and new research to abate the foul air menace would add an estimated $18 million a year to the cost of existing federal antipollution efforts.

This would be a small sum to pay for a significant contribution to the health and welfare—and the future—of America and Americans.

[From the Providence (R.I.) Journal, Feb. 2, 1967]

A TOUGH PLAN FOR CHECKING AIR POLLUTION

Much interest has been focused on the deplorable condition of the air we breathe. The matter has been explained in articles, discussed at forums, and been made the subject of legislation at federal, state and local levels. The hazard of contaminated air was brought home to the millions in the New York metropolitan area over Thanksgiving when a poisonous blanket of smoke and fumes settled over the region.

Yet, as President Johnson pointed out in his message to Congress, for all the attention that has been paid to the subject and all the corrective steps that have been taken, the pollution problem is getting worse. "We are not even controlling today's level of pollution," he warned, "and we shall have lost the battle for clean air unless we strengthen our regulatory and research efforts now."

In an effort to catch up with the need, the President has proposed an Air Quality Act of 1967. The heart of the proposed act is a provision that would give the federal government authority to fix emission standards of industrial plants. The Secretary of Health, Education and Welfare would designate "those industries in interstate commerce that are nationally significant sources of air pollution," and would fix acceptable industrywide emission levels. The states would be encouraged to adopt equivalent levels—or stricter ones. As a final resort, the federal government would step in and impose penalties against culprits in those states which had failed to adopt and enforce satisfactory standards.

This is bitter medicine. It represents an extension of the federal authority and, as such, it probably will be resisted in some quarters. But when the proposal is measured against the size of the peril we face, one must conclude that the medicine is none too strong. Those who are poisoning our air must be checked, and the President has suggested one way that this might be accomplished.

Industrial pollution, of course, is only a part of a very large and complicated problem. President Johnson has recognized that stepped-up efforts also are needed against other parts of the problem. He urges more initiative to make regional air compacts effective. He calls for more research on the problem of air pollution caused by motor vehicles. He asks industries, the universities and local governments to increase their efforts in the war against polluted air.

Much more was included in this message which the President entitled *Protecting Our National Heritage*. He spoke of highway safety, the need for more national parks, the problem of our polluted streams, the promise of oceanographic research and even of the possibilities of tapping underground hot springs as a source of useful power.

But the President's emphasis was on the hazard of air pollution, an emphasis that was entirely appropriate in the light of the growing peril we face from the air we breathe.

[From the Atlanta (Ga.) Constitution, Feb. 1, 1967]

COMBATING A KILLER

It kills. It aggravates illness. It corrodes machinery. It defaces buildings. "It may shorten the life of whatever it touches, and it touches everything."

"It" is air pollution, which President Johnson in a special message to Congress Monday called a problem that "emerges from our success as a modern nation."

Clearly, air pollution would not be so acute a menace if this nation had not grown so large and so prosperous, if fewer automobiles were on the road, if industry were not burning so much fuel. But population continues to boom, and we hope prosperity will, too. In short, the present pollution dilemma can only grow worse if we continue our present power consumption methods uncorrected.

Air pollution need not be the ugly handmaiden of prosperity, though. Ways have been discovered to remove most hydrocarbon emissions from auto exhausts at reasonable costs, for instance. Industry is learning to reburn some of its once-wasted gases from burning fuels, and thus keep them from spewing into our atmosphere. Future research doubtless will establish new ways to reduce pollution.

A severe problem exists. Methods of treatment are known or are not far distant. The question then remains: How do we assure that the cures are applied?

President Johnson offered an intelligent start. His message to Congress recognized that clean air is a problem national in scope and thus demands national standards and federal assistance. But it encourages the states to become active partners or even take the lead in fighting pollution. And it recognizes the important contributions private industry has to make in the field.

Basically, the President's proposals fall into three categories: standards, enforcement and research.

At present, industry and other polluters in general have no well defined levels of what constitutes dangerous pollution. Local standards, where adopted, cannot be effective unless neighboring areas and states likewise have strict standards, for air movement recognizes no man-made boundaries.

Mr. Johnson recommends, then, that the secretary of health, education and welfare designate those industries which are significant sources of air pollution, and that the secretary promulgate industrywide safe-emission levels. States would have the opportunity to adopt these standards—or stricter ones.

The President proposed finding new ways of enforcing these standards, including regional commissions such as those helpful in the effort to control water pollution.

Finally, a widespread research effort would be begun, involving all levels of government, private enterprise and universities. Research would study effects of present fuels and look for possible alternative fuels. Industry, said the President, has an especially important role, for "It is in private laboratories, and in private board rooms, that the crucial decisions on new fuels, new control technology and new means of developing power and locomotion will be made."

Congress should provide the tools for getting to work on the vital problem of preserving a healthy environment.

INCREASED MINIMUM FARM WAGE

Mr. MURPHY. Mr. President, Secretary of Labor Wirtz has dealt another blow to the farmers of California and the housewives of America by his action in raising from $1.40 to $1.60 the minimum wage which California farmers must offer in order to be eligible for foreign supplemental harvest labor.

For 2 years now the Secretary has been blindly pursuing a program that imposes impractical, cumbersome, and ever-changing requirements upon our farmers and, in effect, denies them badly needed harvest labor. The Secretary has justified this program by saying it would bring unemployed domestic workers from the cities to the farms. This has not been the case, as anyone who would take the trouble to examine California harvest labor problems would realize.

The Secretary's action today in raising his arbitrarily imposed minimum wage is particularly outrageous for the following reasons:

First. First and foremost the Wirtz program in the past two years is a proven failure. No statistics have been advanced, nor could they be, to show that Wirtz' program has achieved its objective of bringing domestic workers from the city to the farms. Everybody agrees, and always has, that all available and willing domestic workers should be employed before any foreign workers are used. But the Secretary's program has not brought forth more domestic workers. This is the simple, basic fact to remember and he should admit that his scheme is a dismal failure instead of imposing increasingly ridiculous hardships upon our Nation's farmers and California's largest industry.

Second. Let Mr. Wirtz and the administration he represents make no mistake of this: the Nation's housewives are acutely aware of the rising costs of food. It is an awareness reinforced every time they shop. We hear much talk from President Johnson about inflation, and it seems appalling that the Secretary of Labor should so brashly contribute to the inflation which other agencies of Government are attempting to combat. I said years ago that the housewives would pay to the tune of $1 billion for Mr. Wirtz' sociological experiment. It now appears that, with the Secretary's continuing stubbornness, my earlier estimate will spiral upward.

Third. The people of California are justly outraged by the discrimination Mr. Wirtz has shown against them in setting the wage rates. The Texas minimum wage rate imposed by the Secretary remains at $1.15; Florida's has been raised to $1.35; but California must go to $1.60. In addition to this, during the past 2 years other States have consistently received a substantial percentage of the amount of foreign labor they formerly received, whereas California has been permitted less than 20 percent. The people of California are well aware of this discrimination, and I believe they are able to express themselves at the polls, and will do so.

Fourth. Secretary Wirtz is clearly exceeding his authority in imposing a minimum wage on farmworkers. There has always been an excellent argument that the Secretary had no such authority—that it is Congress responsibility to apply minimum wages. This argument is now conclusive since within the past 6 months the Congress has acted and has, in fact, extended minimum wage coverage to farmworkers. It seems astounding that the Secretary should apply a $1.60 minimum wage to California farmworkers when only a few months ago Congress itself decided that the minimum wage for farmworkers should be $1—and, in fact, the industrial minimum wage is only $1.40. I am sure that Secretary Wirtz cannot deny that if Congress, the responsible body, were presented with this question they would never endorse the action he has today taken.

In summary, it is time that Secretary Wirtz acknowledge the failure of his experiment and permit our Nation's farmers to return to their job of producing food at a reasonable price for the housewives of America and a hungry world.

THE 446TH TROOP CARRIER WING, 924TH AND 925TH TROOP CARRIER GROUPS, ELLINGTON AIR FORCE BASE

Mr. TOWER. Mr. President, I ask unanimous consent to have reprinted in the RECORD the text of a resolution adopted by the South Houston City Council.

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

RESOLUTION

Whereas, the City of South Houston, Harris County, Texas, has met in a lawfully constituted body this day to consider business relative to the City of South Houston;

Whereas, it has been brought to the attention of this council that the 446th Troop Carrier Wing, the 924th and 925th Troop Carrier Groups (Reserve) of Ellington Air Force Base is slated for deactivation by October of 1967; and

Whereas, the fine record of this outstanding Reserve Unit has been outlined in the press of this city, and before various civic groups; and

Whereas, the civic, cultural, economic and social contribution of the officers and men of the Unit who live in South Houston has been of great benefit in making the City of South Houston a better place in which to live; and

Whereas, the military contributions being made by the said 446th Troop Carrier Wing to the cause of national defense, and the humanitarian contributions made in times of natural disaster are a vital and continuing need to this nation's well being;

Be it now resolved by the City of South Houston, Texas, that the City Council of South Houston, Texas, acting with consent of and on behalf of the citizens of said city, do hereby and hereon go on record this day as opposing any move to deactivate, reduce, reassign or relocate any or all of the members or functions of the 446th Troop Carrier Wing (United States Air Force, Reserve), Ellington Air Force Base, Texas.

To duly attest thereof, the Secretary of the City of South Houston, Texas, is hereby authorized and ordered to make this Resolution a proper part of the official minutes of the City Council meeting of this date; and is further authorized and ordered to transmit a duly notarized copy of this Resolution to the Texas delegation of Congress and Senate in Washington, D.C., as well as to the Chairman of the Armed Forces Committees of House and Senate. She is also authorized and ordered to transmit a copy of this Resolution to the Governor of the State of Texas.

BELLAMY AWARD

Mr. MORSE. Mr. President, as the senior Senator from Oregon, I am very proud that one of my young constituents, Mr. Charles Swanson, president of the student body of Lincoln High School in Portland, Oreg., has won the Bellamy Gold Medal Award.

I wish to congratulate Mr. Swanson, and I wish to congratulate Mr. Edwin Schneider, principal of Lincoln High School, for his stewardship in the operation of the program at Lincoln High, which resulted in its having been selected as an outstanding secondary school.

Mr. President, in the February 1967 issue of the monthly publication of Portland Post No. 1, Portland Post Contact, American Legion and Auxiliary, there appears an article concerning the presentation of the Gold Americanism Award for student representation, and I ask unanimous consent that the article and the address by Mr. Swanson which he delivered at the 25th annual Bellamy Award presentation on October 14, 1966, be printed at this point in the RECORD.

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

[From the Portland Post Contact, February 1967]

OREGON STUDENT RECEIVES GOLD MEDAL

Presentation held at Englewood, Colo., October 12 to 14, 1966, was awarded to Charles "Chuck" Swanson, Student Body President of Lincoln Hi School during their regular assembly of January 23, 1967.

The late Senator Richard Neuberger, on behalf of the Director of the Award Program, Dr. Margarette S. Miller of Portsmouth, Va., presented the Sixth Bellamy Award to Lincoln Hi School in 1947, and this school will hold the honor for the State of Oregon for a 50-year period.

The Bellamy Award honors Francis Bellamy, author of the Pledge of Allegiance to the flag of the United States of America, and the free public schools in the United States. Each year an outstanding secondary school is selected from one of the 50 states and represents their state for a 50-year period.

Gold and Silver Americanism Medals are awarded to those young people who excelled in their roles as ambassadors of their schools, communities and states. Students are judged on attitude, cooperation, courtesy, interested in the program and associated activties, merit, personality, promptness and the fulfillment of all outlined obligations, plus extra points for initiative and promptness. Deadlines have to be met for applications, speeches, travel schedules, publicity releases and specified correspondence.

A silver Americanism Medal was awarded to Wallace W. Respess Jr. of Pantego Hi School, Pantego, N.C., which received the 15th Bellamy Award in 1965 and an honorable mention Silver Medal was awarded to Joel P. Hoxie of West Hi School, Waterloo, Iowa. The Iowa school received the 21st Bellamy Award in 1962.

The 1966 Gold Medal Award Winner, Chuck Swanson, was sponsored by Portland Post #1 of The American Legion. The 1965 Medal Award was presented to Edwin C. Schahill of Arsenal Technical Hi School, Indianapolis, Ind., which received the 7th Bellamy Award in 1947 was sponsored by the 11th District of the American Legion.

BELLAMY AWARD ADDRESS

(By Charles Swenson, student body president, Lincoln High School, Portland, Oreg., at 25th annual Bellamy Award presentation to the State of Colorado Oct. 14, 1966)

On April 29, 1869, the people of the little struggling frontier town of Portland, Oregon saw forty-five students and two teachers initiate free public secondary education. Vociferous opposition had met this step. A vocal minority in the community opposed free public education of any kind, especially on the secondary level. But the majority of the early Portland citizens met and authorized Portland High School, predecessor of Lincoln High School. If those who questioned the establishment of such a valuable institution could only have lived to follow the progress of that humble infant school. They would have seen it outgrow five locations, as through the years it was called upon to serve the educational needs of ever increasing numbers of young people. They would have seen it blossom from its meager beginnings into one of the outstanding secondary schools in the country, one proud to be a recognized member of a group of such impressive high schools as are represented here today.

The graduates of Lincoln High School are themselves a testimony to the value of a Lincoln education. Two Rhodes Scholars and four Woodrow Wilson Fellowship winners have been produced. Among individuals who proudly point back to Lincoln as their high school are the late Richard Neuberger, former United States Senator; Nathan Twining, former chairman of the National Joint Chiefs of Staff; and Senator Neuberger's wife, Maureen, a former Lincoln teacher, served as United States Senator. Not only do the alumni give an indication of the stature of our school, but also the impressive list of distinguished speakers heard personally by contemporary Lincoln students give an insight into our school's continuing prestige. Such leaders as United States Senator Wayne Morse, both Richard and Maureen Neuberger, Oregon Governor Mark Hatfield, and Arthur Fleming, President of the University of Oregon.

The cultured aspect at Lincoln is far from lacking. A Littman Statue of young Abe Lincoln stands outside the auditorium. A sculpture piece, Shorebird's Landing, done by Thomas Hardy, provides the subject of a beautiful fountain on the campus.

As old as Lincoln High School is, present day students are learning through a modern curriculum including several of the latest innovations in teaching, encouraged by modern facilities. In 1952, Lincoln moved to its present building located on a ten-acre campus.

The independence and responsibility of our students is typified by the thriving student government. The progressive nature of the Student Cabinet is reflected in the recent development of classroom honor system and such student-sponsored programs as a speaker on the new morality and a symposium on Viet Nam policy by the University of Oregon debating team.

We at Lincoln are proud and privileged. But the present student body must recognize that as privileged as we are to be benefactors of great traditions, every generation of students, including our own, must continue those traditions, by our work in the classroom, on the athletic field, in student activities, and through responsible citizenship. I represent Lincoln High School, the city of Portland, and the state of Oregon in congratulating you, Cherry Creek High School, on your outstanding service to the country and your students. Welcome to the Bellamy Award Family of Schools!

THE EDUCATION OF HANDICAPPED CHILDREN

Mr. MORSE. Mr. President, the November 1966, issue of the magazine Audiovisual Instruction, contains two articles regarding aspects of special education for the handicapped child, which in my view, can be most helpful to Senators who are interested in supporting adequate funding of educational programs designed to provide exceptional children with education specifically designed to meet their needs.

Mr. President, I ask unanimous consent that the article entitled "The Education of Handicapped Children: An Exploration Into Instructional Materials," by Dr. James W. Moss, and "Now See This—New Media Bring the Start of a New Era in Communication for the Deaf," by John A. Gough, be printed at this point in the RECORD.

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

[From Audiovisual Instruction, November 1966]

THE EDUCATION OF HANDICAPPED CHILDREN: AN EXPLORATION INTO INSTRUCTIONAL MATERIALS

(By James W. Moss)

The responsibility of children is to learn, and the responsibility of the schools is to make this learning possible and meaningful. It is a simple fact that some children find learning easier than others. By the same token, some children are more difficult to teach than others. A child who is physically or intellectually handicapped represents a challenge to the teacher because of the unique learning problems this child brings with him to school. The numbers of such children are not known, but the prevalence has been estimated at roughly 10 percent of the school-age population. Prevalence figures, however, can be misleading with reference to the problems involved. An

emphasis on the prevalence of handicapped children usually leads to an emphasis on the school management problems engendered by such a figure. While a high prevalence figure may suggest and indeed cause management problems, there may be an inverse relationship between the prevalence figures cited and the degree of instructional problems.

That the problems involved in instructing the more severely handicapped children are monumental is true, to say the least. The cost of instruction for such a child runs from two to four times as high as the cost for the average child. The teacher of the handicapped must be a specialist; she must have the training, the resources, and the specialized tools necessary for her profession.

Although many of the educational materials used with average children can be modified for use with the handicapped, the teacher of the handicapped requires many items not found in the stockroom of the normal school building. While it is not the purpose of this article to present a catalog of necessary materials for the instruction of the handicapped, a few examples can be cited to demonstrate the range of materials needed.

Children who are deaf require the extensive use of visual aids. The typical sound movie is of little value in these classes. Movies for use with older deaf youngsters must be captioned to be understood. Specialized audiovisual materials such as films for use in the teaching of lipreading must be developed. Visual aids can be used to remind the deaf child of the structure of language and to develop a vocabulary which he never hears.

The blind child must learn without seeing; therefore the teacher of the blind must depend heavily upon audio materials. Since the blind child is deprived of the wide variety of stimulating material so necessary to keep his attention focussed on learning, there is a need for a wide range of materials on tape to maintain the attention of this child. The need for material in Braille is fully recognized, but the blind child spends many years learning to learn through Braille. Other materials must be specifically developed for a child who learn through his fingertips.

While the physically handicapped child with normal intelligence may have no difficulty assimilating material presented to him, the problems of presentation are often severe. Special devices must be developed to enable the cerebral palsy child to hold a pencil, to turn a page, to sit upright in a chair so that learning may be possible. Special educational materials must be developed to motivate the severely physically handicapped child to want to learn when he may see little opportunity to make use of his learning.

Materials which can be handled by clumsy fingers and which present complicated concepts in a simplified form are needed by the severely mentally retarded. The less severely retarded often need a wide range of audiovisual materials that enables the teacher to present a concept time and time again without boring repetition.

Audiovisual materials such as those mentioned above are but a few examples of the many specialized instructional aids required to teach the handicapped. Not mentioned are language development materials needed for helping the speech impaired or nonanxiety-producing materials for use by the emotionally disturbed.

The U.S. Office of Education is committed to improving the education of handicapped children. Such a commitment requires a major emphasis on the development, field testing, and dissemination of instructional materials. This commitment has been demonstrated in part by the development and support of a network of instructional materials centers throughout the country. The network includes 10 such centers at the present time with projections for a total of 15.

The instructional materials centers have been specifically designed to serve as focal points for the distribution of information relative to such instructional aids. It is the purpose of these centers to assure that every teacher of a handicapped child is familiar with the latest and most useful materials to help her in the challenging tasks she faces. As these centers become better developed, they will engage in the field testing and evaluation of materials as well as the preparation of manuals for the use of materials with handicapped children. Research-related information will be funneled through USOE's ERIC system, including the ERIC Clearinghouse for the Handicapped operated by the Council for Exceptional Children, directly to the instructional materials centers. The centers themselves will be linked by a communication system which will provide teachers with information located anywhere within the system.

The combination of the ERIC system, the instructional materials centers system, and the National Laboratory Program should insure that the teacher of the handicapped child will be a better teacher in the years to come. This concentration of resources on the effective utilization of instructional materials is but a part of the Office of Education's program to improve the education of handicapped children. The demonstration of effective programs wherein the latest techniques and materials may be observed in practice can be supported through funds available under the research and demonstration program for the handicapped and under funds available through Title III of Public Law 89–10. The Office of Education is supporting a number of specific projects designed to develop and field test materials for the handicapped. Outstanding among these is the project at the Human Resources Center on Long Island where a trained staff is developing materials for the physically handicapped child. Another example is a curriculum development project at Yeshiva University in New York for the preparation of materials for the mentally retarded. There are a variety of research projects designed to study the effectiveness of teaching aids in all areas of the handicapped.

The teacher of the handicapped child is no longer working alone in an isolated classroom. The frontline crusaders of the war on ignorance are now supported by an army of technicians and professionals who will see to it that effective tools for teaching are available. A new development is underway which adds a human touch to an already very human problem. In a sheltered workshop in Milwaukee retarded young adults are working under contract to produce instructional materials for use by teachers of handicapped children. Whereas the history of special education may be thought of as the blind leading the blind, the future may be characterized by the handicapped helping the handicapped.

[From Audiovisual Instruction, November 1966]

NOW SEE THIS: NEW MEDIA BRING THE START OF A NEW ERA IN COMMUNICATION FOR THE DEAF

(By John A. Gough)

Special adaptations of audiovisual materials and techniques to help deaf people overcome their educational and cultural lag is the work of a U.S. Office of Education program called Captioned Films for the Deaf. Originated by a deaf man and first operated as a private philanthropy, the program was turned over to the government in 1959.

Since the first year when a budget of $85,000 was provided to lease and caption Hollywood feature pictures, the service has taken on a greatly changed appearance. Growth of the budget to $3 million for the current year and a broadened authorization under P.L. 89–258 now finds the Captioned Films Branch involved in much more than films.

Despite these changes, the original purpose of providing worthwhile entertainment continues. Available on free loan to more than 1,400 groups of deaf persons are some 200 sound feature pictures to which captions or subtitles have been added. About 50 new titles are added yearly.

Subtitling is done on a special machine designed for the Office of Education by a Washington studio. This device not only superimposes the subtitles but also surrounds them with a shadow-like effect that makes the caption easily readable regardless of the background.

Groups who wish to borrow the films must first register with the Office of Education and be certified for services. There is no requirement as to age; the only limitations are that users must be deaf, must agree to exercise care in the use of the films, must charge no admission to showings, and must return the films promptly, paying the postage. During the first half of 1966, audiences at captioned film showings numbered more than 175,000.

The 1965 amendment to the basic act made marked changes in the focus of the program. Although retaining its original name, the Captioned Films service is now in fact an educational media program with recreation as a subsidiary function. Another significant change in the new law was to make the materials and services available not only to the deaf, but to parents of deaf children, to social and rehabilitation workers with the deaf, and to employers of hearing-impaired persons.

Actually, these services to the nondeaf have not had a significant start as yet. The major activity at present is that of supplying educational materials and media equipment to some 35,000 deaf children in more than 400 schools and classes throughout the United States. Items supplied on loan include filmstrips, movies, overhead projectors, filmstrip projectors, and screens. Many of the materials provided are especially produced for the instruction of deaf children. These include films for teaching lipreading and fingerspelling, special filmstrips for reading instruction, and records for auditory training.

Most of the work of the Captioned Films Branch is carried on under contract, supervised by a professional staff of seven people in the Office of Education. Contracts cover acquisition and captioning of films, production of materials, distribution services, and training in the use of media and research.

To distribute materials, 60 depositories are operated, chiefly in schools for the deaf across the nation. Each depository serves the area immediately around it. Three major centers in New York, Indiana, and Colorado circulate the entertainment films. Each of the three is managed by a deaf man.

Film production for the program is contracted with both commercial producers and university production facilities. Last year, a package for auditory training done by a commercial producer won a blue ribbon award in a language arts competition. Entitled *Sights and Sounds*, the package consists of records, filmstrips, and test booklets to give practice in learning to discriminate between environmental sounds heard on the farm, in the city, and in the home.

At The University of Nebraska, under the direction of Robert Stepp, a series of films for teaching lipreading is being produced for use in 8 mm cartridges. Original films were shot in 8mm by Frank Withrow of the Illinois School for the Deaf. Mr. Stepp is now reshooting them in 16mm in preparation for national distribution.

A new production venture this year involves development and telecasting of more than 100 half-hour television shows for the adult deaf. Produced and aired by the Twin City Broadcasting Company in Minneapolis-St. Paul, the films cover a wide variety of subject matter, both recreational and educational. They are seen two times per week between 6:30 and 7 P.M. National distribution of these and other programs is planned as part of future program growth.

At the John Tracy Clinic in Los Angeles, kinescopes to demonstrate the teaching of speech are in the initial taping stage. Another TV project involved Station WQED in Pittsburgh, where 10 kinescopes were made to demonstrate teaching techniques applicable to instruction of deaf children.

Training of teachers of the deaf in the use of new media took a significant step forward this summer when the Captioned Films program arranged for summer institutes at three major universities. These included the Universities of Nebraska, Tennessee, and Massachusetts. The institutes are modeled after NDEA institutes but are open only to teachers of the deaf. Plans call for repeating these sessions next summer. Ninety teachers are presently receiving training.

At the New Mexico Foundation, Las Cruces, New Mexico, another kind of training activity is going on. Here, under the direction of Marshall Hester, a year-round in-service training program is based. With the help of assistants, Mr. Hester conducts demonstrations and short courses in schools for the deaf throughout the West. The program has been likened to a traveling road show.

Using a rental truck, Mr. Hester and his staff transport a load of equipment and materials to a school and then set up and put on practical demonstrations in which teachers become participants as well as observers. During the last school year, this performance played locations as widely separated as Milwaukee and Los Angeles.

Research carried on under the Captioned Film Act differs from other USOE programs. It is concerned chiefly with testing ideas or materials that are generated within the program. A principal project, known as Projet LIFE, is concerned with the development of reading instruction for young deaf children through the use of programed instruction. Harley Z Wooden, formerly executive secretary of the Council for Exceptional Children, is project director. The contract is with the National Education Association, with subcontracts at Ohio State University and Our Lady of the Lake College, San Antonio, Texas. Now in its fourth year, the project is a long-term effort to solve the extremely difficult educational problem of accelerating the reading abilities of the deaf.

Under yet another contract, Edward Garrett and Kay Rigg of the State University of New Mexico have developed a new device for the deaf called the Dialcom. This is designed to permit two totally deaf persons to communicate by telephone. The apparatus in prototype form is about the size of a set of bathroom scales and attaches to the side of a telephone with a small suction cup on the end of a wire. This picks up signals from inside the telephone.

On the Dialcom, the user sees a panel of lighted digits that are activated by dialing from another telephone similarly equipped. Cued to a code, these numbers permit two individuals to communicate back and forth readily. After testing of the instrument and completion of code experimentation which is now going on, the apparatus will become another educational medium available on loan for the deaf.

Other research and development projects also underway include a library survey of schools for the deaf, a study of the visual perception of deaf children, and the development of prevocational guidance materials for deaf teen-agers. Contrary to popular belief, the perception study is bringing up evidence that loss of hearing is often accompanied by diminished visual abilities. This inquiry is going on at New Mexico State University and is expected to develop a basis for production of remedial materials and techniques.

These varied projects do not exhaust the agenda of Captioned Films activities, but are representative of the many facets of the program. Because of the relatively small size of the population group served, prospects are good that a heavy saturation of new media will occur within but a few years. A three-year plan calls for every classroom for the deaf in the nation to be equipped with overheads, filmstrip projectors, and then more sophisticated types of equipment. A thousand of each of the basic projects will be released this fall, with more to come.

Response of the deaf to the program has been uniformly enthusiastic. The entertainment films have brought a new dimension into their cultural and recreational life, and the instructional materials are seen as a real boon for increasing educational achievement. Robert Schmitt, director of programs for the deaf in the Houston, Texas, city schools, calls the overhead projector the greatest contribution to the education of the deaf since the invention of the hearing aid.

Most other teachers are equally enthusiastic about the entire new media program. Teachers of the deaf often split over the question of strictly oral versus some combination of oral and manual communication for the deaf. These differences largely disappear when they see an opportunity to help overcome the three- to five-year achievement lag which besets most deaf children. Using materials that are especially designed to meet the needs of deaf children and equipment that helps to speed the communication process, teachers find increased hope for success in their work.

Next year marks the one hundred and fiftieth anniversary of the education of the deaf in America. During those long years, many deaf children have been lifted to a successful place in life. Few have had to suffer the stigma of dependency, but relatively few have struggled far beyond the rudiments of an education. For most, communication is just too difficult.

Today the situation is beginning to change. The revolution in communication techniques is having its effect on the world of the deaf as well as on that of the hearing. The steps being taken by the Captioned Films program in helping apply these techniques and others yet to come, mark the dawn of a new era. It is perhaps too much to suggest that the ears of the deaf will be unstopped. But it is no exaggeration to say that modern technology and research are breaking down the barriers which for centuries have set the deaf man apart from his hearing brothers.

EDUCATION LEGISLATION IN THE 90TH CONGRESS

Mr. MORSE. Mr. President, the February issue of Phi Delta Kappan, the journal of Phi Delta Kappa, the professional fraternity for men in education, carries an article entitled "Education Legislation in the 90th Congress," under the byline of Dr. Samuel Halperin.

Dr. Halperin wrote this article in his capacity as a private citizen and as an educator, but in view of his service both with the Office of Education and the Department of Health, Education, and Welfare, in the field of legislative liaison, the article contains insights into the probable legislative outlook for education in the current session which, to my mind, merit careful consideration by those concerned with maintaining the progress in this important area which has characterized the last few years.

I commend it to Senators as the viewpoint of a highly intelligent and well-informed educator.

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:

EDUCATION LEGISLATION IN THE 90TH CONGRESS

(By Samuel Halperin)

(NOTE.—Mr. Halperin is Deputy Assistant Secretary for Legislation, U.S. Department of Health, Education, and Welfare. He prepared this article at the request of Kappan editors, however, in his private capacity as an educator and observer. No official support or endorsement by the Department of Health, Education, and Welfare is intended or should be inferred.)

The 90th Congress of our republic convened in Washington on January 10. What education legislation can we expect from it?

Any speculation on this question must take into account the great strides in education legislation made by the 88th and 89th Congresses. Their records are impressive. They enacted more than 30 education statutes. Federal funds for education were $3 billion a year when President Kennedy took office. They had increased to $5 billion when President Johnson succeeded him. Today the federal government is spending more than $10 billion for education. In the five years from 1961 to 1966, the budget of the U.S. Office of Education multiplied 11 times.

The most enduring fact is that this expanded federal activity largely reflects certain basic socio-economic realities of life in mid-century America. Education is now widely viewed—perhaps too optimistically—as a solution to virtually every national problem, including military security, manpower shortages, unemployment, and civil rights. More important, the aspirations of the American people have crystallized in the form of demands for more and better education. Everyone has his favorite statistic to demonstrate the change. Mine is that only 17 percent of all high-school-age youths completed grade 12 in 1920 while 72 percent do so today. This staggering change, while leaving much to be achieved, represents no ephemeral whim of national policy, but rather a basic restructuring of values in our society.

Moreover, education is now an annual $50 billion growth industry employing three million teachers, professors, and administrators—the largest single occupation group in the nation. This means that education is a potent political force, generating its own demands in the marketplace for the distribution of national resources. Thus support for increased educational expenditures is rooted in both transformed societal values and new political-economic realities. Future federal aid may vary in pace and in quality, but it will be virtually impossible to reverse the present trend. Neither Karl Marx's state nor federal aid to education is likely to wither away.

What effects will the recent congressional elections have on prospects for aid to education? Many observers have contended that the candidacy of Barry Goldwater in 1964 was largely responsible for the election of an unusually large number of the new Democratic congressmen who enacted so much landmark legislation in 1965 and 1966. In any case, it cannot be doubted that the 90th Congress will contain fewer members likely to vote for new departures in social welfare programs. Some 35 hardcore House votes for liberal programs were lost in the fall elections

and perhaps an additional 20 marginal votes will now be harder to obtain. This suggests that we shall see fewer innovative and controversial programs than in the past, fewer new enterprises such as the National Teacher Corps, Economic Opportunity Act, Model Cities Act, and the Rent Supplement Program.

But if solid, underlying support for expanding American educational opportunity really does exist, as I argue it does, it will be channeled some place. The most logical possibility is that it will flow into the expansion of existing, more traditional programs with a solid, bipartisan base of support. Thus we can probably expect future increments in such programs as vocational education, impacted areas, education of handicapped children, and the like. The new Congress will likely consider additional ways to expand these programs and make them more effective.

The new political climate in Washington suggests certain other features of the immediate future:

1. The principal struggle in education will shift from the process of authorization to that of appropriation. Very few Americans understand the federal system of "quadruple jeopardy" under which programs must first be authorized by both houses of Congress and then run the appropriations gauntlet in those same bodies. Even some fairly knowledgeable participants in the political area often fail to follow through to secure the dollar for hard-won legislative enactments. (Indeed, it is probably true that the types of political skills and alliances needed in the appropriations area are different from those required in the initial authorization stage.)

To illustrate the importance of the appropriations process, we need only to recall the vast disparities between the funds appropriated by the Congress for fiscal year 1967 and those authorized for fiscal year 1968. Title I of the Elementary and Secondary Education Act, for example, received $1.05 billion for the current year while next year's authorization is $2.32 billion. Title III received $135 million versus next year's authorization $515 million. Fellowships for elementary and secondary school teachers were funded at the level of $30 million in fiscal year 1967 against an authorization in 1968 of $275 million. Dozens of other examples could readily be cited.

Simply stated, the point is this: Administrations may not request all of the funds that Congress has authorized. Appropriation committees may not vote all of the funds that Congress has authorized. Educators may not get all they had expected. There is nothing automatic or certain about federal funds for education. Educators must recognize the realities of the appropriations process.

2. Closely related to the issue of appropriations is the issue of evaluation. Educators have long said, "Give us the dollars to work with and we'll show you what we can do." In a political arena where there are never enough dollars to meet all demands, it will be increasingly important that we educators demonstrate the effectiveness of what we are doing.

It has been estimated that at least $100 billion will be required to cope with problems of water pollution, $10 billion for hospital modernization, and $15 billion for the backlog of elementary and secondary school construction, not to mention the staggering costs of urban renewal, mass transportation, manpower training, highways, parks, air pollution control, and a host of other essential public services. In short, dollars and new legislative programs in the future will flow not only to those who are organized for political advantage but to those who can demonstrate that their work has made a beneficial impact on the lives of people. In the competition for scarce resources, persuasion is central in a democratic society. The importance of having the right facts at the right time must not be underestimated.

3. Increasingly, one hears complaints about the existence of too many education programs, too many agencies administering education-related activities, and generally too much fragmentation for the good of American education. For example, why should there be three separate Office of Education programs to purchase printed and published instructional materials and audio-visual aids? Why do we need a Title II of ESEA without a matching requirement and a Title III of NDEA and Section 12 of the National Foundation on the Arts and Humanities, each with a 50–50 matching provision? Above all, why do we need three sets of state plans, voluminous guidelines and regulations, and endless forms when one set could as easily serve the same educational purpose? We can expect the 90th Congress to take a close, hard look at the consolidation of educational programs. I believe the new Congress will also try to "tidy up" and perfect existing federal commitments to American education.

The key issue, it seems to me, is not simply how do we get the neatest administrative direction for our various educational programs, but how do we maintain the innovative thrust and high standards that have been built into some of the newer education programs? While there is undoubtedly a need for consolidation of many of the diverse and fragmented programs into more manageable statutes, we can expect a lively congressional debate in the near future on the adequacy of the public school system to administer the new federal programs with imagination and effectiveness.

4. In this connection, it will be interesting to observe congressional consideration of a forthcoming proposal to reorganize the Department of Health, Education, and Welfare into three sub-cabinet-level departments. Will the new Department of Education simply be an upgraded Office of Education with higher level nomenclature? Will it be given education-related functions now residing elsewhere in HEW (e.g., student financial aid programs)? Will it incorporate educational programs now dispersed throughout the federal government, such as Operation Head Start, the education of American Indians, the College Housing Loan Program, curricular programs in the National Science Foundation, and the like?

In any case, as Congress considers the proposed reorganization of the Department of Health, Education, and Welfare, we are assured of interesting debates on the state of American education.

EXPIRING LEGISLATION

On a more certain note, we know that the 90th Congress will be asked to extend several public laws expiring on June 30, 1967: P.L. 815, relating to school construction in federally affected areas; the educational television program (P.L. 87–477); features of the Elementary and Secondary Education Act relating to Indian education and support for children in schools operated by the Department of Defense; disaster relief (P.L. 89–313); and, most controversial of all, the National Teacher Corps. On the last bill, the struggle will center around Administration efforts to make this program more acceptable to certain educational critics without at the same time diluting the innovative features of its teacher recruitment and teacher training objectives.

Further, if precedent is any guide, we can expect that some legislation expiring on June 30, 1968, will be considered by the Congress next year. In this way, educators will be given a year's lead time to plan new programs on the basis of congressional mandates. High on the list of likely prospects for renewal in 1967 are such statutes as the National Defense Education Act of 1958 and the Higher Education and National Vocational Student Loan Insurance Acts of 1965.

Experienced Congress-watchers know that with such a lengthy agenda it is highly likely that substantial improvement in existing statutes will be made. Congress seldom resists the temptation to authorize new programs as amendments to or perfections of existing laws whenever the latter come up for renewal. The host of new authorities added to P.L. 89–10 by the Elementary and Secondary Education Amendments of 1966 (for example, programs for adult education and for handicapped, migrant, foster, delinquent, and Indian children) offer vivid testimony to that prospect. Incrementalism is a prime characteristic of the legislative process; interests excluded from support today—if they work hard enough—frequently manage to gain inclusion "the next time around."

NEW LEGISLATION

The year 1967, at least as much as 1966, will be dominated by issues of national security and economics. The state of the domestic economy and the intentions of Ho Chi Minh will obviously have great influence on the shape of the Administration's legislative recommendations. Nevertheless, the imperatives of modern political leadership require that presidents identify national needs and propose new legislation to meet those needs.

While it is too early at this writing to predict the exact shape of President Johnson's legislative initiatives in the 90th Congress, following are some of the areas which have been discussed in recent days:

Efforts to provide "follow-up" for graduates of Head Start and other preschool programs, so that initial education gains may be retained in the early years of schooling.

A rounding out of legislative authorities needed to give the physically and mentally handicapped children of America their first full opportunity for quality education and training.

Additional measures to promote innovation in occupational education so that more young people receive an effective introduction to our changing occupational structure.

Support and encouragement for local school districts to develop planning and evaluation capabilities better to meet their present and projected educational responsibilities.

Comprehensive authority to support the training of educational manpower—both professional and semiprofessional and at all levels of education—required to staff our expanding educational system.

The 90th Congress promises to be a busy one for education and the federal legislative process. Whether in extension and modification of existing statutes, in consolidation and perfection of present commitments, in reorganization and restructuring of the agencies administering federal programs, or in the consideration of wholly new legislative enactments, educators will have a big stake in the work of the 90th Congress.

FEDERAL SUBSIDIZATION OF PHYSICAL FITNESS RESEARCH

Mr. MORSE. Mr. President, Dr. H. Harrison Clarke, research professor of physical education at the University of Oregon, Eugene, Oreg., recently brought to my attention an article entitled, "Federal Subsidization of Physical Fitness Research," which was written by Dr. Clarke in his capacity as research consultant for the President's Council on Physical Fitness.

In my view, Dr. Clarke's discussion can be helpful to many of my colleagues and I therefore ask unanimous consent that

the article, which appeared in the September 1966 issue of the Physical Fitness Newsletter, be printed at this point in the RECORD.

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

FEDERAL SUBSIDIZATION OF PHYSICAL FITNESS RESEARCH

(By H. Harrison Clarke, research professor of physical education, University of Oregon, Eugene, Oreg.)

GOVERNMENT SUPPORT NEEDED

A truly great society must rest basically upon physically fit children and adults. Continuance of a generally low level of physical fitness is a shocking waste of human resources. Upon mandate from Lyndon B. Johnson, President of the United States, and before him from Presidents Dwight D. Eisenhower and John F. Kennedy, the President's Council on Physical Fitness is concerned with the physical fitness of all Americans—all 200 million of them.

The United States of America should be pre-eminent in the world on its sponsored physical fitness program. In order to reach this goal, the Council recognizes that existing findings of physical fitness research must be mobilized, disseminated, and applied and that physical fitness research must be stimulated, supported, and conducted. In this way only can the most effective physical fitness processes and practices be proposed.

Federal support of research into the nonmedical aspects of physical fitness for the common man is infinitesimal. Presently, the United States is a laggard in federal support of such research, being exceeded by far by Russia, Poland, Yugoslavia, Sweden, West Germany, Canada, and other nations. Physical fitness research in the U.S.A. is confined almost exclusively to University physical education research laboratories. These laboratories have meager financial support; studies are largely dependent upon the completion of the thesis requirement by graduate students. Physical education research specialists are mostly teachers of research methodology and advisers of graduate thesis. Thus, physical fitness research in this country is largely student supported.

The very fact, however, that physical education research is and has been in progress for some time in the universities of the nation provides a launching pad for orbiting an expanded physical fitness research program. Many graduate departments of physical education now have well-established comprehensive research laboratories. Associated with these laboratories are well prepared and experienced professors with local, national, and international reputations as scientists in this field. Financial support in the form of subsidies is desperately needed to blast off a physical fitness research program and keep it in orbit.

SOURCES OF FEDERAL SUBSIDIES

During the summer and fall of 1965, by visitation and telephone communication, the writer surveyed federal agencies likely to be concerned with research into the non-medical aspects of physical fitness. The government agencies were the National Institutes of Health, the U.S. Office of Education, the National Science Foundation, the National Aeronautics and Space Administration, and the Department of Defense.

In general, exceptions admitted, the present interest of government support of physical fitness research may be summarized as follows: Extensive research is being conducted at opposite poles of the physical fitness continuum: at the upper pole, the physical fitness needs of astronauts, flight personnel, submariners, underwater demolition frogmen, and those subjected to special stresses; at the lower pole, the medical care of sufferers from heart disease, cancer, arthritis, infectious diseases, metabolic diseases, neurological conditions, blindness, mental aberrations, and others. Very little physical fitness, research for the benefit of the great mass of humanity between the poles receive federal support.

From the 1965 survey conducted, the federal agencies presented below are potential sources for subsidization of physical fitness research.

National Institute of Child Health and Human Development

The National Institute of Child Health and Human Development (NICHD) is one of nine institutes within the National Institutes of Health (NIH), the arm of the Public Health Service which has primary responsibility for support of bio-medical research and, the training of research personnel. Established in 1963, this Institute is concerned with the health status, needs, and problems of individuals. NICHD differs from earlier institutes in that its attention is focused on the complex health problems and requirements of the whole person rather than any one disease or part of the body. The principal directions of its research interests find expression in eight major program areas: Reproductive Biology, Prenatal Biology, Growth and Development, Aging, Mental Retardation, Congenital Malformation, Developmental Pharmacology, and Human Communication. The programs for Growth and Development and Aging have greatest potentialities for some physical fitness research.

Growth and Development

The major emphasis of the Growth and Development Program is on factors involved in normal or optimal growth and development. The focus is on the determination of physiological, physical, intellectual, social, and behavioral development during infancy, childhood, and adolescence. The scope of the research program includes, among others, growth patterns, neurophysiological aspects of development, physical growth, and developmental statuses predictive of later development and outcomes. When indicated, the multidisciplinary approach is encouraged.

From the standpoint of physical fitness research, the Growth and Development Program is interested in developmental physiology. A phase of developmental physiology is exercise physiology. Proposals acceptable in the area of exercise physiology should be experimental rather than observational in nature and should employ highly sophisticated techniques of evaluation.

Aging

This program strives to understand the biological, social, and behavioral processes that account for the general decrease of vigor and fitness experienced by mature individuals in varying degrees with advancing years. Studies of the progressive changes that take place in a cell, a tissue, an organ system, a total individual, or a group of individuals over a period of time are encouraged. Special attention is given to investigations of the middle years of adult life.

Procedure

For research grant application and information, address the Division of Research Grants, National Institute of Child Health and Human Development, Bethesda, Md. Applications for research grants are accepted any time, but are reviewed three times a year. Deadlines for receiving applications for the three review times are October 1, February 1, and July 1. Applications should be submitted at least six months before the desired beginning date of an approved grant.

Each application is reviewed for scientific merit, qualifications of the investigator, and adequacy of facilities by an appropriate study section of the Division of Research Grants. Study section recommendations are submitted to the National Advisory Child Health and Human Development Council for final review. This Council then recommends approval of those applications judged as meriting support to the Surgeon General of the Public Health Service.

U.S. Office of Education

The Bureau of Research of the United States Office of Education (USOE) contains five divisions, each with three or four branches, 17 in all. The divisions are: Elementary-Secondary Research, Adult and Vocational Research, Higher Education Research, Laboratories and Research Development, and Research Training and Dissemination. The Bureau supports two classes of research as follows:

Project Support: clearly delineated research activity or set of activities to solve a particular problem in education. Projects are usually planned and initiated by investigators who submit them as proposals. When it is necessary to balance the total research programs, however, the Bureau may invite proposals in critical areas.

Program Support: when proposed research requires a concentration of professional resources on a general area in education over an extended period of time. This support is used for the activities of Research and Development Centers, Educational Laboratories, and training of educational researchers.

USOE is interested in physical education research, which includes physical fitness as a primary objective of this field in schools and colleges. The nature of physical fitness studies of import to the Bureau of Research include the construction of evaluative instruments, normative studies, activities and programs designed to bring about changes in physical development, the relation of physical fitness to scholastic achievement, mental health, and personal-social adjustments, and the like. By nature of their mission, basic research into components of physical fitness, exercise physiology, and cellular changes do not come within their purview.

USOE support is also possible for the activities of Research and Development Centers, Educational Laboratories, training of scientists, and in other ways. These programs allow long-term staff commitments and continuous development and adaptability, and provide for liaison with the education community. Research and development centers and educational laboratories employ interdisciplinary approaches to education problems.

Procedure

For research grant application and information, address the Bureau of Research, U.S. Office of Education, Washington, D.C.; these proposals are routed to the Research Analysis and Allocation Staff. Proposals received are first reviewed by Office of Education staff. Those proposals which show promise of contributing to educational improvements are reviewed by a panel of nongovernment experts. Once approved, a Project Officer is assigned to each proposal.

U.S. Army

Army Research Office

Army research studies in the area of physical fitness are particularly related to the relation of man to machines and of man to weapons and to physiological adaptations to stress and to physical and mental fatigue. About 50 per cent of the research sponsored by this office is through contracts with universities. The university research is physiologically and psychologically oriented at a high level of sophistication. Their principal investigators are mostly members of medical advisory boards and panels known to the Army Surgeon General's Office.

Project requests should be directed to: Medical Research and Development Command, Army Surgeon General's Office, Washington, D.C. It would be best for the indi-

vidual seeking a research contract with the Army Research Office to make direct contact with a staff member who is familiar with the field as well as with military requirements.

Natick Laboratories

Two U.S. Army research laboratories exist at Natick, Mass. Both of these laboratories have interests in studies pertaining to work and exercise.

USARIEM: The physical fitness interests of this laboratory are related to cardiovascular adaptations associated with the fitness of the soldier, to development of valid methods for assessing physical fitness, to preselection of troops for specific strenuous types of activity, to development of techniques for inducing optimal physical fitness, and to interactions between physical fitness and military performances in environmental extremes of heat, cold, and terrestrial altitude.

Psychological Laboratory: This laboratory is concerned with research on the compatability between man and his environment; a program of basic research in human capabilities is also undertaken. Anthropometric surveys of both United States and foreign military personnel are conducted and the data used in the design and sizing of military clothing and equipment.

Research proposals should be submitted to U.S. Army Natick Laboratories, Natick, Mass. In preparing the proposal, the *Commerce Business Daily* may be consulted, as this publication contains descriptions of all Natick research contracts. When submitting an unsolicited proposal, it is advisable to discuss the project in advance in order to insure that it fits within the Natick research program.

U.S. Navy

Office of Naval Research

The Office of Naval Research (ONR) carries forward a broad program of scientific research and exploratory engineering for the purpose of making available to the Navy new and improved technological approaches in the performance of its missions. This work is being conducted in part by ONR's own laboratories and in part under contract with universities, nonprofit institutions, and industrial establishments. Two ONR divisions, Biological Sciences and Psychological Sciences, have potentials for physical fitness research.

Biological Sciences Division: From the standpoint of physical fitness, the Physiology Branch of the Biological Sciences Division is interested in research related to: (a) the fitness needed by the soldier to work better in a military situation; (b) physical fitness as related to stress, altitude, heat, and cold; (c) swimming as related to underwater demolition and swimming with packs; and (d) maintaining the physical fitness of crew members on submarines. This branch is concerned with nerve and muscle function, respiratory and circulatory physiology, nutrition and metabolism, and stress physiology.

Phychological Sciences Division

The Physiological Psychology Branch of this division sponsors research pertaining to the psychological, physiological, and neurological factors in sensation, orientation, emotion, motor activity, maturation patterns of behavior, and the psychological measures pertinent to these fatcors. The research interests of this branch also include psychophysiological processes associated with attention, discrimination, cognition, and adaptation under normal and stressful conditions; and, the psychological, physiological, and psychopharmacological mechanisms of enhancement, maintenance, or inhibition of behavior.

A brochure pertaining to the Contract Research Program of the Office of Naval Research may be obtained from the Department of the Navy, Washington, D.C., or from ONR Branch Offices in Boston, New York, Chicago, San Francisco, Pasadena, and London, England. Resident Representatives are located at other points within certain of the Branch Office areas, as listed in the brochure. Because the Branch Offices provide direct liaison between the Office of Naval Research and scientific institutions in their area, each has a scientific department composed of a chief scientist and several associated scientists who maintain contact with scientific developments in their respective areas.

U.S. Marine Corps

The U.S. Marine Corps maintains a Naval Medical Field Research Laboratory at Camp Lejeune, North Carolina. This Laboratory is operational for the Marine Corps and does not usually subsidize outside studies. Physical fitness research projects, however, could be contracted if the proposals are valuable to the mission of the Marine Corps and the Camp Lejeune laboratory does not have the time and resources to carry them out.

Physical fitness study proposals may be discussed with the Coordinator of Physical Training for Marine Corps, Headquarters, Marine Corps, Arlington, Virginia. Formal applications should be made to: Commandant, U.S. Marine Corps, Washington, D.C.

National Aeronautics and Space Administration

The National Aeronautics and Space Administration (NASA) has three offices of advanced research and technology and a manned space center. Only a very limited number of small contracts have been awarded for studies related to physical fitness; these projects involved the effects of over-conditioning of astronauts after flights and the muscle deconditioning effects of prolonged bed rest.

REASONS FOR GRANT APPLICATION REJECTIONS

Great care should be taken in preparing research proposals for submission to federal agencies for support, as proposals received are many and rejection rates are high. While any one agency may not represent them all, the experience of the National Institutes of Health will illustrate this situation. During a single fiscal year, NIH received 6000 competitive applications for grant of funds to initiate or continue projects in medical and related biological research. Of this number, approximately 2000 were disapproved. The causes of rejections for a sample of 605 disapproved applications were analyzed. Twenty-six shortcomings were listed; the following causes applied to 8 per cent or more of the proposals:

	Percent
Proposed tests, or methods, or scientific procedures were unsuited to the stated objective	34.7
Problem is of insufficient importance or was unlikely to produce any new or useful information	33.1
Investigator did not have adequate experience or training, or both, for this research	32.6
Description of the approach was too nebulous, diffuse, and lacking in clarity to permit adequate evaluation	28.8
Overall design of the study had not been carefully thought out	14.7
Investigator appeared to be unfamiliar with recent pertinent literature or methods, or both	13.7
Investigator's previously published work in this field did not inspire confidence	12.6
Requirements for equipment or personnel, or both, were unrealistic	10.1
Proposed research was based upon a hypothesis that rested on insufficient evidence, was doubtful, or was unsound	8.9
Problem more complex than the investigator appeared to realize	8.1
Statistical aspects of the approach had not been given sufficient consideration	8.1

NEEDED PHYSICAL FITNESS RESEARCH

A Committee of Research Consultants appointed by the President's Council on Physical Fitness* has identified the major needs in physical fitness research and has proposed the physical fitness research projects that should be undertaken. From the "needs" statement, the broad physical fitness problem areas considered particularly significant are given here.

1. What is meant by physical fitness? What components of physical fitness can be identified and defined?

2. What are the best means of measuring the components of physical fitness? What combination of these would yield an appropriate assessment of physical fitness? Should national achievement scales for those measures be established for the two sexes at the different ages from childhood through adulthood?

3. How much physical fitness is needed generally in today's society and specifically for the many work tasks required of various segments of society?

4. How can individuals who are deficient in basic physical fitness components best be identified and subsequently improved?

5. Are marked changes in some or all of the components of physical fitness accompanied by measurable changes in accomplishments in such areas, for example, as school achievement, work output, or personal-social adjustments?

6. What are the effects over the life span of a physically active life upon the well-being of man?

7. What effect has phyically vigorous activity on stress adaptation and for prevention of degenerative diseases and neuropsychiatric disorders? Is regular exercise a factor in the preservation of health into later life or in postponing death?

8. What types of physical fitness regimens are either effective or ineffective in developing and maintaining specific components of physical fitness? What quantitative physical fitness changes can be produced by different training programs?

9. How can people be motivated to exercise, to participate regularly in vigorous physical activities?

10. What are the effects of protracted regimens of physical activity upon the physical growth of children and adolescents?

11. What factors affect strength decrement and strength recovery following strenuous exercise? How may recovery from strength decrement be speeded?

12. What chronic changes can be induced in the intact muscle when it is stimulated repeatedly or subjected to training regimens? What makes a muscle stronger when it is repeatedly exercised in certain ways? What is the nature of the biochemical fatigue process following repeated contractions? How can the fatigue process be modified or reversed?

In the light of research suggested, additional insight into the nature of physical fitness and its essential components should result. Some physical fitness components have been reasonably well identified in recent years; these are muscular strength, the endurance to do sustained muscular work, and total-body endurance (or the capacity for turnover of biochemical energy during exercise). Additional physical fitness components should be isolated, assessed, and studied.

Both muscular strength and muscular endurance are related to the volitional force the muscles can apply. However, strength and endurance are sufficiently different so that a measure of one does not substitute as a measure of the other. Both components

*Ellsworth R. Buskirk, Anna S. Espenschade, Franklin M. Henry, A. W. Hubbard, G. Lawrence Rarick, and H. Harrison Clarke, Chairman.

are essential in acquiring and maintaining a vigorous and alert organism.

The metabolic aspects of exercise as measured by maximum oxygen intake have been studied to some extent with respect to age, sex, and level of physical condition. However, only preliminary work has been done to investigate the basic mechanisms responsible for changes in maximum oxygen intake during heavy exercise. Nor do we know how it is affected by physical exercise and training, or by detraining.

The President's Council on Physical Fitness wishes to encourage scientists in physical education, exercise physiology, growth and development, medicine, education, and other allied fields to engage in obtaining answers to the many physical fitness problems cited. A copy of "Proposed Physical Fitness Research Projects" prepared by the Council's Committee of Research Consultants will be sent upon request to the writer.

TREATY NONSENSE

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial entitled "Treaty Nonsense," published in the Oregonian, of Portland, on February 13, 1967.

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

TREATY NONSENSE

The controversy over ratification of a consular agreement with the Soviet Union would be ridiculous were it not that it lays bare the fact that many Americans oppose having anything to do with Communist governments.

The United States and the Soviet Union exchange ambassadors and recognize each other's governments. They exchange cultural and trade missions. The two nations have joined in the nuclear test ban treaty and in the Antarctica treaty and the U.S. Senate is due soon to ratify the space treaty. They are working toward a treaty to inhibit the spread of nuclear weapons. A recent agreement on regulation of the Russian fishing fleets off American coasts will be signed in a couple of weeks.

All these have been considered by most Americans, we believe, as in the American interest. The hope of many is that gradually, as Soviet belligerence lessens, additional areas of agreement will be reached which will provide some basis for hope that ways other than war to end disputes may be found.

The placing of one or two Soviet consulates in the United States and one or two American consulates in the U.S.S.R. to look after the interests of citizens and to regulate trade ought to be routine. Chief opposition is based on a charge that Russian consulate officials would engage in espionage, a charge the Russians might also make against U.S. consulate officials there.

But the Soviet Union already has about 450 officials stationed in this country who may engage in espionage if they can get away with it. The apprehension that a dozen more will make J. Edgar Hoover's life unbearable cannot be taken very seriously. In fact, consular officials would be much easier to watch than secret agents.

This is a tempest in a teapot. A majority of Americans, we believe, favor these calculated efforts to reach areas of understanding with the Communist nations. The Senate should ratify the treaty and get on with more important business.

THE CIA AND CRIME

Mr. NELSON. Mr. President, on February 20, Mr. Edward P. Morgan, speaking on the American Broadcasting Co. network, commented on the recent activities of the CIA and the revelations over the President's commission on the Nation's problems with crime.

Mr. Morgan suggested these two widely different subjects do have a relationship. It is his feeling that in spite of the grave situation which confronts us in regards to crime, the Nation is not lost. But, he says, we are not helping our image as a nation of upright adults or as Americans by allowing the use of a secret agency to infiltrate and use our unions, our foundations, and our students in questionable ways.

Recently at the hearings of the Committee on Foreign Relations, Henry Steele Commager said:

Without intellectual freedom, absolute, uncontaminated, and beyond suspicion, we cannot achieve the ends which our society is dedicated to achieving.

I ask unanimous consent that the entire text of Mr. Morgan's radio editorial be printed in the RECORD.

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

EDWARD P. MORGAN AND THE NEWS

FEBRUARY 20, 1967.

There is a connection, strange as it may seem, between the continuing revelations about the activities of the Central Intelligence Agency and the revelations over the weekend of the President's commission about the nation's problem with crime.

Emerging facts in these seemingly widely separated fields demonstrate a crumbling of the crust if not some of the core of the American society. The basic reason for the existence of the CIA is to help strengthen the national security, to protect our society. But look for a moment at the society it is assigned to protect! Here are some parts of the picture of America, developed by the National Crime Commission, which the average American never sees, or at least never focuses on:

In 1965, drunkenness accounted for one out of every three arrests in the land.

"In at least three states, justices of the peace are paid only if they convict and collect a fee from the defendant, a practice held unconstitutional by the Supreme Court 40 years ago."

Only a fraction of one percent of the total budget of the criminal justice system in the U.S. is spent on research and almost no research at all has been conducted in organized crime—one of the most sinister problems of law enforcement.

Police training, police salaries and police manpower are all woefully inadequate but just to fill positions already authorized, 50,000 policemen must be recruited in 1967.

Young people commit a disproportionate share of crime and their proportion of the population is dramatically increasing.

But the salvaging of these youths is not succeeding.

In the correctional system, there is a critical shortage of probation and parole officers, teachers, caseworkers, vocational instructors and group workers.

Less than three percent of all personnel working in local jails and institutions devote their time to treatment and training.

Approximately one-fourth of the 400,000 children detained in 1965 for such things as truancy, smoking, running away from home were held in adult jails, often among hardened criminals.

In the United States today, one boy in every six is referred to the juvenile court.

Probably 40 percent of all male children living in the U.S. today will be arrested for crimes—other than traffic offenses—during their lives.

Grave as these findings are, they do not add up to the conclusion that the country is going to Hell in a handbasket, that the republic is not worth saving, so the Defense Department, the State Department and the CIA might as well close up shop and go home. Not at all. This is a strong, rich, resourceful and resilient nation and its citizens are attached to it with varying degrees of pride and devotion that are usually lumped under the not always definitive label of patriotism. But Americans have been having trouble with their feelings about American civilization lately and this is where the machinations of the CIA behind a series of supposedly pure and respectable fronts come in—especially as they have involved that important, rebellious, idealistic, confused but stubbornly hopeful section of the population called American youth.

Most if not all foreign countries have long since downgraded Americans and their government as—however rich and powerful—no more perfect than the next state, particularly their own. So the damage to the image of America by the revelation that U.S. agents use various disguises and devious means like everybody else to spy may not be so devastating in other world capitals. But the damage at home could well be incalculable.

Suspicion and cynicism toward the federal government have been steadily growing among the population, fertilized by such juicy scandals as the Bobby Baker case, the Adam Clayton Powell saga and by the bitterly controversial war in Viet Nam. Liberals seem most alarmed about the latter, conservatives about the former. Cumulatively the credibility of the federal government is being questioned from almost every quarter. This is very dangerous. And one of the most alarming things about the whole CIA furor is that apparently nobody in a position of command in the White House or at lower levels of the executive branch stopped to think what the impact would be on Americans when the secret finally came out—as it had to and now has—that foundations, labor unions and youth groups (and one wonders what revelations about what other institutions are to come) have been infiltrated covertly by agents of a government which is supposed to be of, by and for the people. It is no good trying to rationalize it in the name of expediency. It simply does not wash. There is an insidiousness about secrecy that can be lethal.

"Without intellectual freedom, absolute, uncontaminated and beyond suspicion," Historian Henry Steele Commager testified before the Senate Foreign Relations Committee today, "we cannot achieve the ends which our society is dedicated to achieving."

When the Administration of four presidents overlook that, it is time to pause and gravely ponder. But not despair. Let's not pretend any more that we're intrinsically better than everybody else. (Don't forget the crime report, poverty and racial prejudice.) Let's not forget either that we've got a system which gives us elbow room to try harder for improvement. It won't work if we don't.

This is Edward P. Morgan saying good night from Washington.

SUSPENSION OF 7-PERCENT INVESTMENT TAX CREDIT

Mr. NELSON. Mr. President, with increasing frequency businessmen are calling attention to the problems they are facing as the result of the suspension of the 7-percent investment tax credit last fall.

Many individuals and corporations have written to me expressing the economic hardships which have been im-

posed on them as the result of that congressional action.

Just recently, George Champion, chairman of the Chase Manhattan Bank, attacked the suspension of the tax incentive for business investment. He alleges the move was a "misguided attempt to combat inflation" and represented a "giant step backward."

Champion went on to say the action "could produce a serious slowdown in orders for capital goods in the second half of this year, which might be precisely the wrong time for such a development."

Many opinionmakers declare the 7-percent tax credit should be restored immediately, and that the 7-percent figure should be increased to 10 percent as soon as is practical after the fighting in Vietnam ceases.

In our talk about what to do after the Vietnam war in order to prevent a recession, I think this is a valid and practical suggestion.

I ask unanimous consent that the letter to me from the Highway Trailer Industries, Inc., the "Truck Newsletter Weekly," and the article from the Wall Street Journal pertaining to the tax credit suspension be printed in the RECORD.

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

HIGHWAY TRAILER INDUSTRIES, INC.,
Edgerton, Wis., February 27, 1967.

Hon. GAYLORD A. NELSON,
U.S. Senate, Washington, D.C.

MY DEAR SENATOR NELSON: Because I know of your interest in doing whatever is possible not only in maintaining the overall economic well-being of Wisconsin but, wherever possible, in enhancing the economy's future growth, I want to bring to your attention a situation which very likely is bringing about the opposite of what you want to happen in our state.

Highway Trailer Industries employs over one thousand persons in Edgerton and Stoughton. Sales amount to approximately thirty-five million dollars. Our annual payroll for the combined two cities is about seven and one-half million dollars. Since this company came under new management direction in April of 1965 we have not had a layoff of production personnel. This contrasts with frequent fluctuations in employment averaging about 70 people a month under the previous management.

In the past four months, however, we have found it increasingly difficult to maintain steady employment. In December, to prevent a layoff, I authorized the building of 200 truck trailers without having a customer for them. We still have not been able to move this inventory.

We are now faced with the imminent need to reduce our work force. The prime reason for this arises from our customers failing to follow the practice, customary at this time of the year, of placing orders for new trailers.

In almost every instance where we have queried customers as to the reason for the delay in ordering new equipment they have cited the suspension of the 7% tax credit on new investments as the main reason for not buying at this time.

I assume that you and your staff are keeping abreast of the deteriorating effect this suspension is having on the economy throughout the country. There is hardly a day that goes by that I don't read in one or more of the trade journals covering our field of interest about the adverse effect the suspension is having on the trucking industry.

And, now, today, in two widely varied papers, the Wall Street Journal and the Truck Newsletter Weekly, an insight is given into the effect the elimination of tax credit is having on freight car manufacturers and on producers of trucks. They are indicative of our own situation in the allied field of trailers. In turn, our situation is going to affect employment very soon in Wisconsin.

Also in today's Wall Street Journal, the lead article details the concern now being expressed over the condition of the civilian aluminum market. This, to, is a reflection of the postponed investment in our kinds of products which use a considerable amount of that metal.

I suggest that as a responsible member of Congress you use your powers of persuasion to accelerate the restoration of the 7% tax credit before the nation's overall economy and that of Wisconsin's in particular undergoes a severe decline.

J. T. COLLIFLOWER,
President.

[From the Truck Newsletter Weekly, Feb. 27, 1967]

GROSSES TUMBLE IN WAKE OF CUTBACKS

As mentioned in the Newsletter several weeks ago, and now confirmed, it has been necessary to cut back on truck production in several cases because of the slow down in advance ordering. In the wake of the cut back announcements comes the even more disturbing news, as revealed in a Newsletter survey, that dealers are beginning to shave their grosses to bare minimums. As this tendency develops it is beginning to stir retaliatory action from other dealers, consequently seriously threatening gross profits.

A characteristic reaction from a Ford dealer was: "I lost a deal for five trucks yesterday to a Chevrolet dealer who my customer claimed was willing to sell him the two ton trucks involved in the deal for $50 over tissue. I told him if he could get that kind of deal he better go grab it, thinking I would call his bluff. But he came back in the next day and showed me the order and he got the deal at the $50 over he said he was offered. I don't like to lose any business, frankly, but at the same time I can only afford to let something like that go by occasionally, and then I'm going to start cutting my prices to $25 and $30. I'll keep that business no matter what I have to do. And then we'll see how they react to it."

Other dealers too tell us that the gross profits being accepted for vehicles, on which delivery can't be expected for several months, are "ridiculously low." Said a dealer in Houston, Texas, "For a time we thought the grosses on the light duty stuff was about as ridiculously low as it could get, but now in the last six to eight weeks we find that the grosses are being whittled down on everything from stepvans, which we can't get, to the mediums and in some cases to the heavy duty stuff. I can't make any sense out of what dealers are doing to themselves, but it's very real and it's very sickening. This could be a lousy profit year. At this rate there won't be any profit."

The total picture remains spotty. We have heard from areas of the Midwest that the sales picture on light duties "looks as if it is showing a substantial gain over last January." Other areas of the country show no more uniformity than can be found within any one city of the country. For instance, around Philadelphia, where a check of dealers indicates one dealer doing "about the same amount of volume as we did last year at this time," and another dealer not more than five or six miles distant, claiming it is "one of the worst February's I have seen in all my 30 years in this business."

An industry observer told the Newsletter: "There is no doubt in my mind that if all the indicators remain relatively stabilized at their current levels, 1967 will be a 'fair' year for truck retailing. It won't be great nor will it be dreadful. The most difficult problem the retailer will have to cope with is actually squeezing a profit out of 1967. There is no doubt in my mind that he is going to be faced with a good volume year that just won't produce much profit, unless he has his finger on every expense leak in his business. And I don't care much what the factories continue to tell us about how great business 'could be' in 1967. They will get their volume, or close to it, I have no doubt, so that their profit needs will be almost met. But the retailer is going to have a tough time of it, and he better get his expenses in line now."

CUTBACKS IN HEAVY DUTIES CAUSE CONFUSION

The announced cutbacks in heavy duty truck output have caused some confusion among dealers and suppliers. Dealers wonder why cutbacks are announced at this time, since so many heavy duties are still on long delivery times. A White dealer told the Newsletter: "Obviously the over ordering on the part of the factory for parts to assemble some of the housing industry special models has caught up to them. But wouldn't you think the inability of that segment of the economy to rebound would have been evident before this, and that, in turn, ordering could have gone forward to meet heavy duty demands in another section of the economy. We are still subject to unconscionable waiting times for so many models. Why couldn't someone, with all their talent at the time, have foreseen this possibility and prepared ahead for it. I know once the problem has developed you can't work a solution over night, but it should have been anticipated."

In still another area, suppliers to body builders and distributors find themselves with equipment on hand for which there is no demand now, or in the foreseeable future. This means a further dampening effect on the total industry. The domino effects are obvious.

Meantime, it is interesting to note that when White announced its 1966 sales and earnings "at records higher than previously estimated," J. N. Bauman, president of White, stated that extensive pre-buying of heavy trucks occurred in 1966, reflecting to "some extent the long delivery-time buildup as backlogs rose to the equivalent of six months' output." He reportedly continued that currently backlogs are estimated as equal to about 2½ months, *"which is about where we would like to maintain it."*

FLEET BUSINESS OFF

On top of all the other bad news at this time of year comes the pessimistic view, turned up in a Newsletter survey, that fleet buying is slipping back. A Chevrolet dealer in New York who deals in big fleets of trucks told the Newsletter: "There is no doubt in my mind that fleet business for our truck department will be way off this year. I personally have talked to a number of my accounts and frankly, they just don't have any intentions of buying this year. This will have a considerable affect on our total business, even if the retail end of our truck business remains on a pretty high level, which I must say I expect. But fleets did a lot of advance buying last year, it now develops, and they just don't see any need for trucks now."

From the West Coast similar reactions emerged. Fleet buying at this point in the year is obviously off. Whether this trend will continue is anyone's guess. With some indicators pointing to a revitalization of home building over the next several months, a number of specialists in that field are looking for increased buying on this front, but the total does not look too promising right now. Contributing factors in this situation are said to be the 7% tax

credit suspension, tight money, the general deflation in the boom which has existed over the last few years, and the tendency of fleets to squeeze more mileage out of current equipment rather than commit themselves in this period of uncertainty to new purchase plans.

CHASE CHIEF ATTACKS ENDING OF 7-PERCENT TAX CREDIT

George Champion, chairman of the Chase Manhattan Bank, has attacked the present Washington Administration for its suspension last fall of tax incentives for business investment. Champion has been quoted as saying that the suspension was a "misguided attempt to combat inflation" that represented a "giant step backward."

In Champion's opinion the action "could produce a serious slowdown in orders for capital goods in the second half of this year, which might be precisely the wrong time for such a development." Champion then added that he thinks the former tax credit of 7% should be restored "immediately," and that it should be increased to 10% "as soon as the fighting ends in Vietnam."

At about the same time as the above announcement official Washington has been taking notice of what one official called an "air pocket" in the economy in the latter part of 1967, which is causing authorities there to consider restoring the tax credit ahead of schedule. The fear, of course, is that many businesses will delay purchases of trucks, machinery and other equipment usually eligible for the credit until early 1968 when it would be in force again. Right now it is being said that the overall economic outlook come late spring or early summer probably would be the major influence on any decision in this area, although earlier surveys on the capitol-spending plans of business could be a key signal.

[From the Wall Street Journal, Feb. 27, 1967]

SLOW TRACK FOR SUPPLIERS: ORDERS FOR RAIL EQUIPMENT SAG SHARPLY; PRODUCERS BLAME TAX-CREDIT SUSPENSION

(By Todd E. Fandell)

CHICAGO.—The railroad-equipment industry, historically plagued by cyclical ups and downs, is currently highballing toward another low point.

But this time, rather than being done in by the vagaries of the economy, competition or customers, the industry claims it's largely the victim of the law. Specifically, railroad-equipment makers blame the Defense Emergency Tax Act of 1966, which sought to cool off the economy by suspending the 7% investment tax credit.

The act apparently succeeded all too well as far as the railroad-equipment industry is concerned. Just six months ago, the industry was breezing along at full throttle with steadily increasing backlogs extending up to a year or more into the future. Recent surveys, however, indicate a startling decline from a year ago of $1,250,000,000, or about 80%, in orders for freight cars and locomotives.

Implications of this practical halt in equipment orders from railroads are obvious. Although most of the equipment companies are still operating at full tilt, due to big order backlogs, the months ahead spell sagging sales and profits, layoffs, plant closings and a long, arduous return to normal operations once the railroads decide to resume ordering.

EFFECT ON OTHER INDUSTRIES

Steel mills, which sell about 5% of their production to rail suppliers, and other industries anticipate disruptions in their operations as a result.

Railroads themselves have generally been hesitant to blame the investment tax credit suspension alone for their decreased expenditures. In cutting its 1967 capital outlays by 57% to about $80 million from $187.5 million, the Atchison, Topeka & Santa Fe Railway, for example, also cited tight credit and the increasing adequacy of its car fleet. "It would be a serious mistake to assume that we'd suddenly come through with a slug of big orders the minute the tax credit was reinstated," comments an executive of one big Western road. But, he hastens to add: "It sure would help."

In any case, the crisis has succeeded in banding together the railroads and all their suppliers—a rare achievement—in an effort to win reinstatement of the credit, currently scheduled for next Jan. 1, at the earliest possible date. Even a mid-year restoration of the credit, possibly in exchange for the proposed 6% income-tax surcharge, might be too late to avoid serious disruptions of the industry, rail-equipment officials say.

MEET WITH OFFICIALS

A week ago, about three dozen representatives of the Association of American Railways, the American Railway Car Institute and the Railway Progress Institute (an association of railway-supply companies) descended on Washington for a full day of discussion with the President's Council of Economic Advisers, Treasury Secretary Fowler and Transportation Secretary Boyd.

In these sessions, industry officials painted a grim portrait:

—A Railway Progress Institute survey shows that between last Oct. 11, the effective date of the credit suspension, and Dec. 31, railroads ordered only 2,759 freight cars and 57 locomotives, down 78% from 12,593 cars and off 84% from 359 locomotives ordered in the year-earlier period. Orders for signaling, communications and other equipment fell an average of 30% to 40%.

—A recent AAR survey of the 43 largest railroads, which account for 94% of all railroad spending, indicates these roads expect to order only 16,651 new and rebuilt freight cars in 1967, down from 91,874 cars last year and 87,555 in 1965. Locomotive orders are expected to tumble to 166 from 1,204 in 1966 and 1,228 in 1965 for these 43 roads.

—Another study, of roads that account for about 89% of total freight car fleet ownership, indicates car orders will decrease by 72,959 units this year and locomotive by 982, with the dollar amount down about $1,210,000,000.

DECLINE OF $1 BILLION

The various estimates don't match up precisely, but they're reasonably close. The most optimistic guess of total 1967 car orders from all sources—railroads, leasing companies and private lines—produced by a random sampling of rail-equipment industry officials is 27,000 new and rebuilt cars, down from 102,342 in 1966. At an average cost of better than $15,000 each, this would represent a decline of more than $1 billion in car orders alone.

Because of the huge car order backlogs existing when the tax credit suspension became effective, sales of rail-equipment makers this year are expected to fall only slightly compared with the order decline. Railroads took deliveries of about $1.2 billion of freight cars in 1966, with other car buyers adding another $300 million. With new car deliveries this year expected to be about 75,000, down from 89,883, total car expenditures are expected to drop to about $1.2 billion, but it's the last half of this year and first half of next year that car builders say they're concerned about.

Most major freight-car producers expect their order backlogs to keep them reasonably busy for some months. Pullman-Standard division of Pullman Inc., perhaps better situated than most builders because of the great demand during 1966 for the types of cars it builds, doesn't expect trouble until the fourth quarter. An executive of the American Car & Foundry division of ACF Industries Inc. predicts it will be mid summer—"perhaps August or September"—before the worst comes and "we have to think about layoffs and plant closings unless there's a radical change in certain areas of our business."

Despite such backlogs, however, many rail-equipment concerns, especially the smaller car fabricators and component-supply companies, are already feeling the pinch. Although full-fledged layoffs have occurred in only a few spot situations so far, work forces have been reduced significantly, mostly through attrition, in the past few months, says Nils Lennartson, president of the Progress Institute. Such job reductions are measured only in the thousands so far, but layoffs covering tens of thousands are imminent and by next Jan. 1 present estimates indicate that work forces in railway-equipment plants will be down 60% to 75% from levels at the start of this year, he says.

REDUCTIONS AT BUCKEYE

Typical of concerns already affected in the industry is Buckeye Steel Castings Co. of Columbus, Ohio, a supplier of heavy components for railroad cars. Since October, Buckeye has reduced its hourly plant payroll to 1,300 workers from 1,600 mostly by attrition, and may be under 1,000 workers by April, says J. W. Henderson Jr., president and general manager. "So far, our profitability hasn't been hurt; we've lost a lot of marginal workers, overtime is down, January shipments were a 24-year high and first quarter profit may be the best in 10 years," he says. "But after that layoffs are imminent; we've already asked all our customers to help us stretch out delivery times to the last minute to make our backlog last."

Buckeye is far from an isolated example. Bethlehem Steel Corp. last week closed down a freight-car building line for six days at its Johnstown, Pa., plant for what a spokesman called "a temporary curtailment of piggy back car production for inventory adjustment." A big Midwestern plant of a major car builder says it's in the process of cutting employment during the first quarter to 1,400 men from 1,750, as its order backlog starts to dwindle rapidly. "I wish you could tell me how to tell our shareholders that we just had a record year, anticipate a fine first quarter and then things will go completely to hell," laments the president of one company.

The nation's three major producers of locomotives, which last year produced more than $300 million of diesel engines for the railroads, expect to be hit hard by the investment credit suspension. Impact at the 9,000-man plant of General Motors Corp.'s Electro-Motive division at La Grange, Ill., which builds more than half the nation's locomotives, "undoubtedly will be substantial," says a spokesman. Current orders will carry production into summer but a major softening of business in midyear and especially in the last quarter is anticipated, he says.

The rail-equipment industry is aware that, as the situation stands, it might expect a spate of orders from railroads next January when the tax credit is reinstated. But this could be too late. "The problem of a supplier later coming back into production after he's forced to close down is a difficult one," says W. Ashley Gray Jr., president of General Steel Industries Inc. and the Railway Progress Institute. Most rail-supply concerns estimate it would take at least six to nine months to resume normal, efficient production after going down for 30 days or more, he says.

PROBLEM OF REHIRING

Problems involved include rehiring and retaining of employes, reopening supply lines, engineering time and administrative requirements, Mr. Gray notes. "The tax credit suspension could easily cost this industry thousands of its best skilled workers and disrupt

its operations for years, to say nothing of lost production," says another official.

The railroad industry and its suppliers almost succeeded in winning an exemption last October from the tax credit suspension, failing at the last minute as other groups tried to obtain similar privileges and created a problem at drawing the line. The rail industry argued the legislation was at cross-purposes with a firmly declared Federal Government policy to resolve economic bottlenecks created by the nation's chronic freight-car shortage, which reached record proportions last year. Railroads had, in fact, been exempted from Government requests for voluntary capital-spending restraint early in 1966.

Some critics contend the railroads are holding back on equipment spending to prove they were right last fall. "It's an awfully costly way to make your point," says one supply-concern official. William T. Taylor, chairman of ACF, not joining in such sharp criticism, thinks the railroads can't afford to forgo for much longer the 20% return on investment they can earn on some types of freight cars. Likening the halt in car orders to the Green Bay Packers calling time out in the middle of a crucial touchdown drive ("They know it is fatal to kill momentum"), Mr. Taylor says he's hopeful the rails will end their buying slowdown soon "because of very clear economic justification."

SAVINGS FROM DELAY

But most observers say the rails can't be faulted for the hard economics of their decisions to defer spending. Orders placed during the suspension period are subjected, in effect, to a 14% "sales tax" (at a 50% tax rate, loss of 7% credit is equivalent to a 14% deductible sales tax), they say. Credit carryovers and other accounting methods can, in many cases, make current orders even more costly, they add. One big Western railroad is said to have deferred $93 million in orders because it can save more than $20 million by waiting until 1968.

The extent of the decisions to postpone spending, however, has surprised even the railroads themselves. In seeking an exemption last fall, they argued that removal of the investment tax credit, a major incentive for heavy car-building programs in recent years, could cut $500 million from 1967 budgets, which at the time were expected to exceed 1966 spending levels slightly. The cutback, based on present indications, appears likely to be more than double such estimates, which were called "inflated" and "overly pessimistic" at the time.

The cutback also comes right after the first year in more than a decade in which the railroads made marked progress toward resolving their car shortages. New and rebuilt cars placed in service in 1966 exceeded retirements by 26,853 units, halting a long and steady decline in the number of freight cars in service.

It was the continuing demand for cars and the economic resurgence of the railroads over the past five years that caused the rail-equipment industry to predict an end to its cyclical past and a long period of heavy capital expenditures by railroads. For the long pull, the equipment builders have lost little of this enthusiasm, pointing to recent "conservative" forecasts that railroad spending for cars will average $1.3 billion to $1.7 billion a year over the next 10 years.

THE BRAIN DRAIN

Mr. NELSON. Mr. President, we in Wisconsin are very fortunate in having published in Appleton, Wis., an excellent newspaper, the Post-Crescent.

Recently an editorial entitled "The Brain Drain Grows" was published in that newspaper. I was especially interested in it because I cosponsored a bill in the last session of Congress, which was authored by the Senator from Minnesota [Mr. MONDALE], designed to discourage professionally trained and educated foreign students from remaining in or emigrating to the United States.

Recently, Anthony Crosland, the British Education Minister, was quoted as saying that the brain drain to this country has counteracted all of the United States recent efforts in the field of foreign aid.

The British Minister indicated that we should give serious discussion to the problem which is being created when we continue to support the transferral of scarce talent from poorer countries.

Defense Secretary McNamara has said that scientists want to come to America because they are appreciated here. This is probably true, but it is questionable whether we should support this argument.

Mr. Crosland then suggests that the basic reason why sought-after brains are moving from every part of the world to the United States is that we are the richest country in the world and can pay more for brains. This is the reason, not the difference in education systems or in emotional appreciation.

I agree with the editorial writer of the Post-Crescent that it is not simple to solve the problem of emigration of these individuals to the land of the good life. We need their ideas here, too. But each one of those who stays here is a double loss for his own homeland. Ways should be sought to induce them to return to their own countries where they can use the knowledge they have gained, and where they can assume responsibility and leadership in improving living standards for their countrymen.

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:

THE BRAIN DRAIN GROWS

There is new evidence that the "brain drain" of educated people desperately needed in the underdeveloped countries is expanding.

About two-thirds of the 100,000 foreign students studying in the United States come from the poorer nations of Latin America, Asia and Africa. Many are the recipients of aid either from their own governments or through various American programs. A survey conducted by the Institute of International Education last year showed that more than 10 per cent intend to remain in the United States after they completed their studies.

But other statistics indicate that the percentage of those who do remain is much higher. Figures of the U.S. Immigration and Naturalization Service show that 30 per cent of Asians here on temporary student visas later apply for permanent ones. Of the 905 foreign students at the University of Iowa between 1950 and 1960, almost 500 stayed in the United States. Officials in Iran say that 60 per cent of their students make up their minds to stay away from their homeland. The Educational Council of Foreign Medical Graduates estimates that up to 25 per cent of foreign doctors in training here will stay.

The problem is somewhat increased by the changes in the United States immigration policy. The changes were aimed at getting away from the national origins percentages whereby residents of northern Europe had far larger quotas for immigration to this country than people from other parts of the world. But the new policy stresses skills and vocations which are in short supply in this country. We can use more medical people, high level educators and similarly highly trained personnel. But the underdeveloped countries need them desperately.

It is not only the higher standard of living in America that persuades so many foreign students to change their national allegiances. The same factor that brought widespread immigration in the last century—oppression at home—is a major reason.

It is not a simple problem to solve even by restrictions that refuse permanent visas to students from nations which need them at home. The new citizens, like the waves of immigrants from a variety of countries in the 19th Century, are healthy for the United States. We need their ideas and their very difference. But each one who stays is a greater loss to his own land and the opportunities to improve living standards there.

DRUG QUALITY STANDARDS

Mr. NELSON. Mr. President, every Member of Congress has received and undoubtedly seen a booklet on drugs published by the Pharmaceutical Manufacturers Association entitled "Compulsory Generic Prescribing—A Peril to Our Health Care System." The PMA represents about 140 of the major pharmaceutical manufacturers in this country.

There is considerable interest in the issues involved in drug costs, drug quality, drug efficacy, and the system of drug development, manufacture, and distribution in this country. The PMA booklet, in part, is evidence that there is this increased interest.

Drug quality and drug standards are discussed at some length by the PMA booklet. These drug standards may appear in the "official compendia" under the Federal Food, Drug, and Cosmetic Act and comparable State food and drug laws. The American Pharmaceutical Association, the national professional society of pharmacists, founded in 1852, publishes one of these official compendia—the National Formulary—and has done so before there was a Federal food and drug law. Dr. Edward G. Feldmann, who serves as director of the National Formulary and as director of the APhA scientific division, has taken strong exception to some of the PMA allegations depreciating these drug standards established by the National Formulary. For the information of other members who have received the PMA booklet, I ask unanimous consent that Dr. Feldmann's letter to the Pharmaceutical Manufacturers Association be printed in the RECORD.

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

THE NATIONAL FORMULARY,
March 3, 1967.

Mr. C. JOSEPH STETLER,
Pharmaceutical Manufacturers Association, Washington, D.C.

DEAR JOE: In response to your request for comments on the PMA booklet entitled "Compulsory Generic Prescribing—A Peril to our Health Care System," I feel obligated to reply to certain statements and implications which appear in the booklet relative to the National Formulary, the adequacy of the Na-

tional Formulary standards, and certain related considerations.

Differences may, and often do, exist between the drug products of different manufacturers. The September and October 1966 editorials in the *Journal of Pharmaceutical Sciences* adequately support this statement and represent my thoughts on this issue. Consequently, I do not take issue with your stand that drug products may in fact vary in certain respects from manufacturer to manufacturer. I do, however, take issue with statements which attempt to support this position by criticizing or otherwise attempting to discredit the National Formulary and the standards provided therein. It is in this vein that the majority of the following comments are offered:

1. Booklet page 2—Under the Arabic numeral 1, it is implied that because two drug products exhibit certain differences which keep them from being identical—while at the same time they both meet the standards set for them—this demonstrates a shortcoming or failing of the established standards. This overlooks the fact that although two drugs might indeed have certain differences in their properties, the differences may not have any clinical significance whatever. The standards which are included in the compendia treat only those factors which are deemed by qualified experts to be pertinent for the purposes of testing a drug to establish its adequate quality. (The use of the term "minimum standards" in this same paragraph of the booklet is discussed under item #3 below.)

2. Booklet page 3, third full paragraph—The "generic name" does refer to the active chemical ingredient. However, it may also define the finished product by simply adding the dosage form designation as for example, "aspirin tablets."

3. Booklet page 4, third full paragraph—The term "*minimum* standards" with emphasis on the word "minimum" is used in this paragraph with highly misleading implications. It suggests that the compendia specifications and standards are extremely weak; that is, that they are of minimum value in assuring the quality of the particular drug to which they apply. However, anyone familiar with these standards knows that this is certainly not the case. On the contrary, the so-called "minimum standards" of the N.F. and U.S.P., at the very least, reflect the highest quality levels generally consistent with present day manufacturing practices. I would further point out that the National Formulary standards are voluntarily established by committees and panels which include many prominent industry scientists who are highly knowledgeable regarding what constitutes adequate and desirable drug specifications and standards. Furthermore, the compendia are continually soliciting recommendations with a view toward improvement of these official standards. If the pharmaceutical industry or any given individual manufacturer does not feel that adequate standards appear in the N.F. for any particular drug, then this need only be brought to our attention in order that such deficiency might be rectified, if indeed it does exist. To my knowledge, no recommendations have been made to the National Formulary regarding tightening of N.F. standards which have not been acted upon and which are not currently effective. On the other hand, our committees and panels frequently consider and suggest tightening specifications. It is our general practice to consult with pertinent manufacturers regarding the appropriateness of such revisions prior to taking final action upon them. In certain cases, the revisions are not implemented because industry supplies data to demonstrate that it cannot meet a tighter standard under the best conditions of "good manufacturing practice." In summarizing this point, therefore, I would repeat that the N.F. standards generally represent the most comprehensive and stringent specifications which our committees of knowledgeable pharmaceutical scientists—working in consultation with the pertinent manufacturers—feel can be reasonably and properly applied to a particular drug. If you or your member firms are in a position to recommend specific improvements in any specifications or standards, such recommendations should be directed to our attention where they will promptly receive our careful consideration, as they always have in the past.

4. Same paragraph—It is stated that drugs and other materials recognized in the U.S.P. and the N.F. "should conform" to the compendia standards. This is somewhat of an understatement inasmuch as by federal law such drugs and drug product ingredients are required to conform to the compendia standards.

5. Same paragraph—It is stated that "In a relatively few instances (the U.S.P. and the N.F.) state how much active ingredient a drug product should contain." Drug products are covered by monographs for dosage forms in the compendia. Virtually without exception all such compendia dosage from monographs include a rubric definition which specifies both the minimum and the maximum quantity of the required therapeutically active ingredients. Furthermore, an assay is also included in such monographs to provide a means of determining compliance with the rubric definition requirement.

6. Booklet page 4, 4th full paragraph—Again, we find reference to "strictly *minimum* standards" with the word "minimum" emphasized. See my comments under point #3 above.

7. Same paragraph—Characteristics of drugs or drug products—including particle size, solubility, the nature of the inactive ingredients, and other characteristics of the nature listed in this paragraph—are often covered in compendia monographs when it has been established that such characteristics will influence the suitability or effectiveness of the drug, and when some means of accurately and objectively determining the physical characteristics are available or can be developed.

8. Booklet page 5, 2nd full paragraph—It is stated that "excessive pressure used in manufacturing tablets may make them so hard they fail to disintegrate." This, of course, is true and precisely for this reason, a disintegration time limit (and the appropriate procedure for its determination) is provided in virtually every N.F. and U.S.P. tablet monograph.

9. Booklet page 5, 4th full paragraph—This statement regarding standardization of techniques and equipment (along with the Levy-Nelson study and the Sadove study which are subsequently described) make a very convincing argument that much needs to be done by industry to standardize the variables which are alluded to. This is especially significant since even prominent brand name manufacturers have been known to make many changes in their drug products without changing their brand names for those products. Such changes have included all or virtually all of the physical characteristics listed in the fourth paragraph on page 4 of your booklet (particle size, solubility, the nature of the inactive ingredients, coloring agents, flavoring, tableting pressures, and surface properties, etc.). Indeed, in one instance that I know of, a brand name (Sucaryl)—which originally applied to a product containing only a single active ingredient (cyclamate)—was subsequently applied to a combination drug product containing two active ingredients (cyclamate and saccharin). It would appear that the pharmaceutical industry should make a concerted effort to standardize these variables rather than to be content with deploring the fact that such variables presently exist.

10. Booklet page 7, first full paragraph—As Editor of the *Journal of Pharmaceutical Sciences*, I should point out that this is a monthly publication and, therefore, there is no issue identified as November 11, 1963. This should simply be referred to as November, 1963.

11. Booklet page 9, first full paragraph—It is true that many chemicals are produced and marketed in the various grades listed and that conceivably a manufacturer could use a grade lower than N.F. or U.S.P. However, the federal drug law does not allow use of grades which do not comply with N.F. or U.S.P. standards. Consequently, if a manufacturer were to do so, this would be a violation of the law. Hence, this is simply an enforcement matter.

12. Booklet page 10, last paragraph carrying over to top of page 11—It is stated that analyzing every batch of every product made by every company is "an obvious impossibility." While I will not comment upon whether such a practice would be desirable or not, *I do not agree that this is impossible.* Antibiotics represent the largest single group of drugs currently on the market and they are now subject to certification procedures which require FDA analysis of each and every batch intended for drug use. It would seem that such procedures could be readily extended to other drugs, although admittedly this would be a large undertaking in terms of personnel and facilities.

13. Booklet page 15, 6th full paragraph—It is stated that "if the physician is compelled to prescribe by generic name, he would have no control as to which product is provided to his patient." It would seem that this does not necessarily follow inasmuch as the physician need only specify the name of the pertinent manufacturer in the same manner as referred to on page 10, paragraph 2 of your booklet.

In conclusion, I trust that you will find these comments to be constructive as well as informative. I would particularly like to reiterate that the existence or position of the official compendia is not necessarily incompatible with your contention that certain differences may exist in drug products manufactured by different firms. Therefore, in light of this, I feel that it is a gross disservice to the cause of drug quality when efforts are made to discredit or otherwise detract from the National Formulary or its content.

Sincerely,

EDWARD G. FELDMANN, Ph. D.,
Director.

THE FEDERAL INVESTMENT IN HIGHER EDUCATION

Mr. MORSE. Mr. President, the Commission on Federal Relations of the American Council on Education on January 26, 1967, met in Washington to discuss policy and proposals relative to the role of the Federal Government in the financing of higher education in this country.

A summary of that discussion is contained in a publication entitled "The Federal Investment in Higher Education—The Need for a Sustained Commitment."

The American Council on Education which was founded in 1918, is composed of many educational organizations and institutions and therefore can be considered as one of the major voices for higher education in this country. I think, therefore, that Senators will find the position of the organization as set forth of interest and I ask unanimous consent that the statement be printed at this point in the RECORD.

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

THE FEDERAL INVESTMENT IN HIGHER EDUCATION

The last five Congresses and three Administrations have demonstrated, since the enactment of the National Defense Education Act of 1958, a conviction that the Nation's security, welfare, and continued prosperity depend heavily on its system of higher education. This conviction has led to the investment of increasingly large sums in programs designed to strengthen and expand that system.

Higher education, in turn, has responded in a way never before equaled in any age or in any country to meet the Nation's demands for the education of unprecedented numbers of students, for research in virtually all fields of knowledge and for service in the solution of increasingly complex problems.

The relationship which has thus evolved is different from any previously known between a government and its academic community. It has given rise to problems for which we are still seeking solutions and will undoubtedly generate new ones as the relationship is worked out. Nevertheless, it is clear that the Federal Government must continue to depend heavily on higher education to undertake a multitude of tasks. Higher education must, in turn, rely heavily on the Government to provide strong and sustained financial support. In times of crisis it may be possible to postpone or slow down programs which, while highly desirable, are not vital to the Nation's welfare. But the duties that higher education must perform cannot be set aside. Young people must be taught; manpower must be trained; faculties must be kept intact; answers to complex problems must be found. If higher education is to plan efficiently and accomplish its tasks, it must count on a steady flow of support. The fitful turning on and off of a faucet is not a method of economy; it is a guarantee of waste, both in dollars and in human resources.

In the paragraphs that follow, the American Council on Education presents its views on actions that should be taken by the Federal Government to help strengthen higher education so that it can meet the demands the nation is making on it.

ACADEMIC FACILITIES

It has been apparent for almost two decades that one of higher education's critical problems is to expand rapidly enough to meet the pressure of numbers. Every projection made in the past has underestimated the number of young people who would seek education beyond the high school. Even more grave is the underestimation of the number of years of education required by our increasingly complex society. Graduate and other postbaccalaureate schools are the most rapidly growing segment of higher education, and there is no likelihood that such expansion can or should be reversed. Indeed, in some areas, such as medicine and health-related disciplines, the gap between demand and capacity to meet it is growing disastrously.

For these reasons we believe, as we have in the past, that the Federal Government should give massive assistance to higher education for the construction of facilities. This is not a glamorous or exciting proposal; it does not have in it the glitter of innovation. But higher education cannot perform its tasks unless it has an adequate plant in which to perform them.

In making this proposal, we are handicapped by inadequate data. Nowhere are there figures on which to base solid estimates of the total need for facilities either now or in the decade ahead. The funds provided by the 89th Congress for studies by the state commissions should, however, help to provide some of these data. Pending the results of these studies, we continue to hold that construction at a current annual rate of at least $3 billion will be required.

Matching requirement

Titles I and II of the Higher Education Facilities Act of 1963 (HEFA) stipulate that the Federal share in meeting the development cost of facilities may not exceed one-third in the case of a four-year college or university facility or 40 percent in the case of a public junior college. We recommend that the permissible maximum for a Federal grant be raised to 75 percent for all types of facilities under this act.

Experience with the program to date indicates that many institutions cannot participate in the program because they are unable to secure the necessary matching funds. Often these are the very institutions which seek to educate large numbers of students for whom the economic barriers to college are considerable and for whom Federal student aid programs have been enacted. The present high ratio of the non-Federal to the Federal share forces upon institutions some harsh alternatives: they resign themselves to the decision that expansion is impossible; or raise their fees so that the students themselves will pay for the cost of the buildings; or divert income from gifts, which should be used to strengthen their educational programs, to investment in bricks and mortar.

We do not advocate the establishment at this time of a minimum Federal share. The state commissions were established in the belief that such a mechanism, working within well-defined guidelines, is the one best suited to determine the needs within each state. If this mechanism is to work, it must be accorded some degree of flexibility. Certainly the goal of the commissions should be to move toward assigning the maximum Federal share authorized by the Congress. But to establish a minimum would place them in a strait jacket and deny them the exercise of judgment in the allocation of funds.

Emphasis on expansion

The most significant feature of the HEFA is its emphasis on expansion of enrollment capacity. We believe that the emphasis is, in general, a proper one. Nevertheless, the terms of the act virtually preclude participation by institutions which, for a variety of sound reasons, are unable to expand. They can be healthy and vigorous only if they limit the size of their student bodies in relation to the resources available to them. Opportunity should be provided within the act for institutions to expand certain parts of their programs, even though their total enrollment may not expand. In addition, there should be a provision to enable institutions with stable enrollments to participate so that they may better perform their tasks. They need support in their efforts to eliminate obsolete and costly plant, to renovate existing plant, and to construct modern plant both to meet the needs of new curricula and to gain an efficiency and economy of operation often impossible under existing conditions.

HOUSING

Equal in importance to the need for academic facilities is the need for college housing and related facilities. Access to higher education is severely curtailed if, in residential colleges, the number of living spaces is inadequate. In institutions serving large numbers of commuting students, provision of student centers and eating facilities is similarly essential. Existing housing facilities are overcrowded, and more and more students are daily traveling great distances to and from the campus because no housing is available nearby. The result is inordinate waste in both dollars and effectiveness of education.

An independent study, conducted under American Council auspices, suggests that approximately $1.5 billion per year will be needed for college housing for the next ten years. Not all of this demand need be supplied through Federal, or indeed any form of subsidized, support. In fact, some of it may well be supplied through commercial, profit-oriented enterprise.

Nevertheless, we believe it essential that the Federal Government assure the availability of a minimum of $1 billion per year for the next ten years in the form of long-term, low interest loans for the construction of housing facilities. The need is as great in sparsely settled rural areas, where the student must obviously travel to the institution, as in urban areas, where transportation is becoming increasingly complex and expensive and where the urban circumference is expanding.

In general, housing and related facilities, such as student centers, can be financed appropriately through loans. If forty- or fifty-year loans at no more than 3 percent interest are provided, they can be self-liquidating through reasonable room charges to students. We believe that in the future, as in the past, providing these loans under Government auspices requires only a small investment of public funds.

To date the Federal College Housing Loan Program can be regarded as a profit-making enterprise. There have been no defaults; the interest charged has more than covered the cost of money to the Treasury and of administrative expenses. At the moment, a maximum interest charge of 3 percent would require a small subsidy by the Government. Nevertheless, in terms of actual outlay, probably no supporting program for higher education is less expensive to the taxpayer in relation to value received than the college housing program.

We recognize the impact on the Federal budget of an annual $1 billion program of direct loans. We will gladly support any reasonable proposals to lighten that impact. Possibly the Participation Sales Act provides the proper approach. Perhaps there are other ways to engage the commercial money market, such as providing interest subsidies, that offer better hope. Our concern is to construct the necessary housing and make it available to students at reasonable prices. We are convinced that this can be done with minimum expense to the Treasury.

STUDENT AID

The development of federally supported student aid programs has been, and continues to be, an important priority. In the main, legislation enacted through the National Defense Education Act (student loans) and the Higher Education Act of 1965 (opportunity grants, work-study, guaranteed loans) provides an ideal mechanism for assuring that all who can profit from higher education, regardless of their circumstances, shall have access to it. We urge continuation of all these programs. We also urge a careful reassessment of certain specific provisions.

NDEA loan program

The backbone of all of the Government's programs for student aid is unquestionably the NDEA Student Loan Program. Its growth from a $6 million appropriation in 1959 to an authorization of $225 million for fiscal year 1968 is evidence of both its utility and its acceptance. Nevertheless, this very growth suggests the need for reassessment.

One cannot ignore the impact that Federal programs of this magnitude have on the administrative budget. It seems appropriate, therefore, that new ways of funding the program be explored. We believe that, as in the case of loans for academic and housing facilities, we may well have reached the time when we should turn to the commercial market for some of the funding. Here again the Participation Sales Act may offer a viable method. There are undoubtedly ways by which institutions' needs for loan funds may be met through the commercial market. We

are convinced, however, that institutions must directly control sufficient funds to make direct commitments to needy students so that they, in turn, may be assured adequate funds to continue their education.

At the present time almost $100 million in institutional funds are locked in the NDEA loan program because of the required 10 percent institutional share. Return on the investment of these funds is unavailable to the institutions for their general purposes since it must be plowed back into the loan program. We do not suggest that funds already committed be unlocked. They, along with the Federal capital contribution, can now provide a revolving fund of approximately $1 billion for student loans. Nevertheless, we must find a new approach so that institutions will not have to tie up an ever-increasing percentage of their own funds in the NDEA loan program. We urge that, whatever method is devised for providing the Federal capital contribution, institutions be relieved of having to put up a matching share. If, in order to assure proper stewardship and proper collection procedures, it is deemed necessary that institutions have some stake in the program, we would urge that it be limited to a responsibility for 10 percent of losses incurred through bad debts.

Forgiveness of loans for borrowers who later go into certain occupations is deeply embedded in the act. Nevertheless, as forgiveness is extended to more fields, we view it with increasing misgivings. We have never been sure whether the provision of forgiveness for those who go into public school teaching is a recruiting device or a recognition that teaching has traditionally been an underpaid profession. The rapid extension of the forgiveness concept to private school teaching, to college teaching, to nursing, and to the practice of medicine in certain areas may well be undermining the whole concept of a loan as something that should be repaid. It unduly complicates the problems of those responsible for collection. Furthermore, it establishes a precedent for extending the concept to many other fields which are equally important to the public interest and which at the moment are equally underpaid. We would urge that the forgiveness concept not be extended to loans in any other field and that the Congress give serious consideration to eliminating existing forgiveness programs and move instead toward larger grant programs open to needy students regardless of the fields they wish to enter.

Work-study

The enactment of the work-study program, established first in the Office of Economic Opportunity and later in the Office of Education, has provided an essential element in the financial aid package that can be offered by institutions to needy students. It has given many students an alternative to heavy indebtedness. It has made possible the creation of meaningful jobs. It has often enriched students' academic programs by providing work related to their career objectives. Nevertheless, as increasing numbers seek support through this program, the non-Federal matching requirement will become increasingly burdensome, particularly as colleges and other nonprofit enterprises under the provisions of the Fair Labor Standards Act will be required to pay a minimum wage of $1.00 per hour in February 1967, with a gradual increase to $1.60 per hour in 1971. We urge that the Federal share of support for the work-study program continue to be pegged at 90 percent for any employment in nonprofit enterprise. Such a provision should assure dynamic growth in the program commensurate with the increasing numbers of students requiring such employment. We also urge that because of the complex administrative and record-keeping requirements of the program, institutions be allowed to use up to 5 percent of their Federal allocation for administrative expenses, whether the work is performed on their own campuses or in other public or nonprofit enterprises.

Opportunity grants

The purpose of the Opportunity Grants Program of the Higher Education Act of 1965 is to provide a base of financial support for needy students comparable to that base which more fortunate students can expect from their parents. The emphasis in the program has been on need rather than, within reasonable limits, on quality of performance, although an amendment to the original act does provide an incentive for academic achievement. We believe that the purpose of the program should remain unchanged. However, a number of provisions in the legislation prevent the financial aid officer from bringing to bear all of the programs at his disposal to assist a given student to balance his budget.

The act requires no more than one-half of the students' need may be met by an opportunity grant and that in no case may this grant be more than $800 (with the exception that an upperclassman who has already demonstrated outstanding achievement may therefore receive a $200 incentive award). The exception is that the colleges and universities will endeavor to find assistance for deserving students from other sources. Unfortunately, however, college financial aid officers are limited by the act in the sources at their disposal. We urge that these officers be permitted to draw not only upon NDEA loan funds, state scholarships, and private sources, but also upon money the student will earn through work-study or borrow through the guaranteed loan program. The proscription against using other Federal fund sources serves in part to defeat the worthy purpose of the Opportunity Grants Program. If financial aid officers are to meet the needs of all applicants and make sufficient use of all available funds, they must be provided the maximum flexibility.

Guaranteed loan program

In 1965 the Council supported legislation that would provide a guaranteed loan program available to all students who wish to go on with their education. We advocated consideration of a program that would provide a small Federal subsidy of interest while a student is in college, with the expectation that he would pay a reasonable but unsubsidized rate of interest after graduation and during the repayment period.

As enacted, the program calls for a full Federal subsidy of interest while the student is in college and a heavy subsidy during the repayment period. Furthermore, the program contains no limitation that would prevent borrowing by students who are able to attend college without a loan. In fact, both colleges and lenders are prohibited from rejecting a loan application on the basis of lack of need.

To date, because of high interest rates, the program is barely off the ground. Banks are unable to lend, except in token amounts, at the rate specified in the legislation. In general, states have not come forward with guarantee funds, so that most of the guarantee money has come from Federal appropriations advanced temporarily to the states, which they must later repay.

It is our hope that these problems will eventually be resolved, but even before they are, we would urge a full examination of the program's provisions. At present there is no legal basis for rejecting any applicant regardless of private assets available to him. This means that approximately 85 percent of all college students are automatically eligible to borrow $1,000 per year and to have all the interest on their loan paid by the Federal Government. The only limitation is the willingness of some lending institution to make the loan. A precise computation of the cost of this program is difficult, but we believe that if allowed to go on without restriction, it could result in a drain on the Treasury of several hundred million dollars per year. If there is, as there must be, a finite percentage of the gross national product available for the support of higher education, we believe that expenditures of this magnitude for what is at best a peripheral program are unwarranted.

We believe that the Congress should consider whether a need provision should be introduced into the legislation and whether the current level of interest subsidy is justified. Furthermore, we believe that fixing in legislation a specified interest rate, such as 6 percent, regardless of the conditions of the money market, is a mistake. We urge that the Congress consider proposals from the commercial lending organizations that would introduce sufficient flexibility in interest rates to enable lenders to provide funds for the program at least on a break-even basis.

COLLEGE TEACHER EDUCATION

If higher education is to meet the needs of increased numbers of students, an adequate supply of college teachers is obviously essential. Experimentation with the new media, with various approaches to independent study, and with other new techniques may well alter traditional concepts of proper student-teacher ratios. On the other hand, the expanding service functions performed by higher education are likely to offset gains made in teaching efficiency. There is no prospect of an appreciable reduction in the shortage of college teachers in the foreseeable future.

NDEA fellowships

The brilliantly conceived fellowship program established in 1958 under the National Defense Education Act has become the foundation for the production of college and university teachers. It has made possible the expansion of existing doctoral programs and inspired the establishment of new ones. It has made more effective the doctoral programs supported by other Federal agencies, such as the National Science Foundation and the National Aeronautics and Space Administration. That some students supported by the program do not, in fact, enter college teaching need not be a matter of concern, for they enter fields equally vital to the national welfare. We urge that the program be maintained and that it continue to focus on those who intend to earn the Ph. D. or equivalent degree. The university world demonstrably has sufficient need for manpower educated to this level and to make funding the program at the authorized level of 7,500 new fellowships per year a matter of first priority.

A new fellowship program

It is apparent, however, that the NDEA fellowship program alone will not produce an adequate supply of college teachers, particularly those who aspire to careers in undergraduate instruction. The doctorate will probably continue to be regarded as essential for many who will devote their lives to the academic world, particularly in universities that emphasize research and graduate instruction.

There is, however, an increasing need, especially in the two-year colleges but also in the four-year undergraduate colleges, for those whose primary, or even sole, objective is to teach. Yet at the moment there is no Federal program, and few private ones, designed to prepare them for that career.

We urge the enactment of new Federal legislation which would award fellowships to institutions that wish to develop programs leading to a variety of sub-doctoral programs. These programs need not necessarily be regarded as terminal, for recipients might well wish to go on later to the doctorate. The programs should include, but not be limited to, traditional academic disciplines. There is, for instance, an acute

shortage of teachers qualified to instruct in post-high-school subprofessional and vocational fields. The legislation to provide such a program should be sufficiently broad to permit a variety of experimental approaches, including the support of internships in college teaching.

NDEA institutes

We again urge that Title XI of the National Defense Education Act be amended to permit programs for college teachers. It is essential that those who devote their lives to undergraduate teaching in instruction-oriented institutions have opportunity to keep abreast of their fields. Summer, and occasionally year-long, institutes can serve just such a purpose. Such opportunities have for years been made available through the National Science Foundation, with highly beneficial results; logic requires that similar opportunities be made available in programs of the Office of Education.

COST-SHARING AND MATCHING REQUIREMENTS

We believe the time has come for a wholesale review of the fiscal relationships between the Government and higher education. It is a truism that Federal programs have been enacted on an *ad hoc* basis, without a master plan or indeed often without any plan at all except to meet an obvious need on a crash basis. It is also a truism that both higher education and the Government have benefited. Nevertheless, as programs have increased in number and size, financial strains have developed that constitute a growing problem.

Most Federal programs require the commitment of institutional funds; virtually none pays full costs. As a result, some Federal programs tend to weaken rather than strengthen parts of the total system of higher education:

1. Federal programs are concentrated in a small number of institutions, chiefly those that have been able to provide the additional funds and resources required. Thus, the natural gravitation of Federal funds toward "centers of excellence" has been automatically, and perhaps inadverently, increased.

2. Since the amount of discretionary funds available to even our strongest institutions is finite, current Government policies in effect draw institutional funds from programs not being supported by the Government in order to finance those being supported by the Government.

3. Since neither private philanthropy nor state appropriations are growing as rapidly as Federal programs, the deficit occasioned by Government matching requirements is more and more being met through increased charges to students.

Cost-sharing in research

Of particular concern is the current Government-wide policy, written into legislation, that requires institutions to share in the costs of research supported by Federal grants. The Bureau of the Budget has interpreted this as requiring sharing "on more than a token basis." This requirement is siphoning tens of millions of dollars of institutions' discretionary funds into immediate and long-range Government missions. A surface plausibility for the policy is offered in the argument that there is a mutuality of interest between the Government and the university. But this is no truer of higher education than it is of industrial corporations. It is argued that cost-sharing spreads funds further and thus provides support for a greater volume of research. This argument is valid only from the limited perspective of an individual agency. The funds siphoned into Government-supported research might instead be used to support research in other academic fields. Compulsory cost-sharing, carried to its logical extreme, would make it impossible for institutions to engage in any research except that which attracts Government support.

Many institutions will choose to share in the cost of all programs. All will choose to share in the cost of some. Furthermore, all institutions engaged in research underwrite hidden costs, not readily identified and often not allowed in the auditing process. But cost-sharing should be voluntary and determined by each institution in the light of its own available resources. Otherwise, the desirable and inevitable growth of research, both basic and applied, in efforts to solve increasingly complex problems can lead only to a weakening of the institutions that must conduct this research.

Matching requirements

There is possibly more justification for matching requirements now embodied in most non-research programs supported by the Federal Government. Here again, however, the test should be whether the requirement will strengthen the institution or weaken its financial stability and divert funds from programs of the institution's choosing into those which the Government suggests they "ought to be doing." We do not advocate the abandonment of the matching concept. We do advocate that the institutional share be kept sufficiently modest to enable all institutions to participate and to avoid locking institutional funds into Government programs. Of special concern are programs that require an increased institutional share, after initial seed money has been provided by the Government, as programs mature. This is particularly onerous in student aid programs designed to bring into higher education more and more students with inadequate financial resources.

HEALTH PROGRAMS

Universities' responsibility for the Nation's health requires special attention, for it is in this area that the three functions of higher education—teaching, research, and service (patient care)—are most clearly inseparable. The demands for more and better-prepared members in each of the health professions, for more knowledge that will be useful in the prevention and cure of disease, and for more effective ways to provide medical care are pressing, and higher education has a key role to play in meeting them.

It is of fundamental importance that the Federal Government coordinate, so far as possible, the administration of the many programs designed to meet in part the health needs of our society. For example, the construction of a modern medical center may involve grants from the Health Research Facilities Program, the Health Professions Educational Assistance Program, the Hill-Burton Program, the National Science Foundation, the Community Mental Health Program, and the National Medical Library Assistance Act. Under such circumstances it is obviously essential that policies, procedures, and timetables be coherent. Since funds authorized for each of these construction programs fall short of the demonstrated national need, we urge, at the least, full appropriations of the authorized sums.

The Health Professions Educational Assistance Act provides operating funds through basic improvement grants, contingent on expansion of enrollment in the entering class. In expanding enrollment in these professional schools, higher education committed itself to expenditures on a continuing basis. It is, therefore, vital that the Federal share of this increased expenditure be provided on a stable basis at the level authorized. The act also authorizes special improvement grants which could, if appropriated, be the salvation of a number of professional schools seriously threatened by rising costs and increased demands.

The partnership between the Federal Government and institutions of higher education—as well as some other institutions—in health-related research has been increasingly effective over a period of years and offers the greatest long-range promise for meeting the health needs of society. The continued success of this national research effort will depend upon continued financial support that increases at least as fast as automatically rising costs.

GOVERNMENT RESEARCH POLICY

There can be little doubt that one of the most productive features of the Government-higher education relationship has been the advancement of knowledge—in science, in technology, and in health-related areas. Modest strides have been made in educational research, and at least a start has been made in the arts and humanities. But many fields classified as social sciences have been relatively neglected. In view of the potential contribution these fields can make to the solution of a host of social problems, it is essential that greater support be provided them.

In the main, the strides made through research have been possible because of the project system. Without this system, it might well have been impossible to increase the volume of research effort without an inordinate waste of public funds. Nevertheless, the project system has certain weaknesses. It tends to divert the loyalty of the researcher from the institution to the agency supporting him. It tends to encourage the researcher who thinks like his colleagues and to discourage the one with a new and imaginative approach. It tends to make it difficult for the young researcher to gain support until he has somehow established a reputation. And most of all, it tends to place a greater and greater administrative burden—including proposal-writing, grant-chasing, and reporting—on those who should be the most free to pursue their own inquiries.

We would urge, therefore, that as the Federal budget for research increases, greater amounts be earmarked for institutional grants. That this approach too can be productive is amply documented by the success of our agricultural research programs. The institutional grant program of the National Science Foundation and the General Research Support provided by the National Institutes of Health are promising ventures in this field. So too is the NASA sustaining program. The recent leveling-off of Federal support of academic research is a matter of grave concern, and we urge that serious attention be given this problem. The project grant should probably continue to be the basic mechanism for the support of research, but as funds increase, greater support should be provided for institutionally determined research.

GENERAL INSTITUTIONAL SUPPORT

In the preceding paragraphs we have discussed the Federal investment in higher education category by category. We have done so because Federal programs have developed in just this way and because each program contributes to the strengthening of our colleges and universities. The strengthening has, however, been uneven. Many institutions with a potential for making major contributions to educating young people, to advancing knowledge, and to providing essential services have virtually been bypassed. Even in strong universities imbalances have been created.

One greatly encouraging effort to provide broad institutional support is to be found in the National Science Foundation's University Science Development Program, recently supplemented by two new programs designed to assist colleges and individual departments. We commend these programs and urge increased support for them.

These programs, however, are themselves an extension of the project system. We recommend that the next major step forward in the Federal effort to strengthen higher educaton be in the support of institutions as institutions. For unless additional financial resources are made available, the quantity of higher education in this country

cannot be improved; in fact, it cannot be sustained.

One might argue that the consumer—the student instructed—should pay more of the cost. But historically this has not been the policy followed by institutions, and it can be argued that if it had been, only the affluent would have had access to higher education. It can also be argued that cost of instruction should determine the level of institutional fees, with the Government's role limited to providing financial aid for students unable to meet the cost. Because of the enormous expense of administering massive student aid programs, such an approach is probably the most expensive way of meeting the problem. Rather, the Government should seek ways to reduce the necessity of charging over higher student fees.

What is needed, we believe, is a new program supporting general institutional development. Proper safeguards should be written into the legislation to exclude support of the sectarian activities of church-related institutions. Obviously, too, there should be some form of quality control if funds are not to be wasted on substandard programs. Regional accrediting programs can offer this control.

Higher education must, of course, continue to seek support from many sources. But the addition of Federal funds to those derived from state and local appropriations, from gifts, and from fees will enable each institution to strengthen its total educational effort. And as each institution is strengthened, the whole system of which it is a part will be better able to meet the Nation's needs.

(NOTE.—*This document presents the official views of the American Council on Education as determined by its Board of Directors at a meeting on January 26, 1967. The stated policies and proposals were developed by the Council's Commission on Federal Relations, which has primary responsibility in this area of concern.*)

LETTER OF FORMER PEACE CORPS VOLUNTEERS REGARDING THE WAR IN VIETNAM

Mr. FULBRIGHT. Mr. President, evidences continue to arise of the destructive effects of the Vietnamese war on areas of our national life and policy which are not directly related to the war. Apart from the unspeakable agony of the Vietnamese people and a loss of American lives now approaching 200 a week, the war has damaged our relations with allies and alienated great numbers of people in Asia, Africa, and Latin America—people whose own poverty and memories of colonialism give them a strong sense of identification with the long-suffering people of Vietnam.

In the long run, perhaps the most destructive effect of this cruel war will be the disillusion and alienation of the socially conscious younger generation—in our own country and throughout the world—whose ideals and energy are the best hope of all of us for a better world.

In our own country there is a widening and deeply distressing gap between our national leadership and the educated and socially conscious younger generation. The cause of this mounting alienation is the war in Vietnam, which has undermined the inspirational powers of an administration which otherwise has done more to advance the aspirations of youth than any other national administration of the last generation. Some months ago groups of both student body presidents and Rhodes Scholars expressed their apprehension about the war which our country is fighting in Vietnam.

Now a body of over 800 former Peace Corps volunteers, in restrained and measured language, have respectfully expressed their concern about the effects of the Vietnamese war in a letter to the President of the United States. The former volunteers are fearful—as I am—that American policy in Vietnam is undermining our country's ability to contribute to a more peaceful and bountiful world. Further, they are afraid—as I am—that American policy in Vietnam is causing an erosion of trust in our Government on the part of those Americans who want to believe in the high purpose and constructive world role of the United States—an erosion of trust which threatens to undercut the enthusiasm so necessary to the vitality and effectiveness of the Peace Corps itself and, beyond that, to discourage creative and dedicated people from participating at all in overseas programs of the U.S. Government.

Mr. President, I ask unanimous consent to have printed in the RECORD the text of this significant and disturbing letter to the President of the United States signed by 800 former Peace Corps volunteers.

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

MARCH 6, 1967.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: During its early years, the Peace Corps was fortunate in having your guidance as Chairman of its National Advisory Council. As former Volunteers who served during and since that time, we would like to express our appreciation for your support and direction and for your continued interest in the Peace Corps as President.

We write not as representatives of any group, but as individuals from many backgrounds who have had very different experiences. Our points of view vary widely, but we share your hopes for a more peaceful and bountiful world. We are united by those hopes, and by the conviction that American policy in Vietnam is seriously undermining the contribution America can make toward achieving that kind of world. Further, we wonder if you are fully aware of the erosion of trust in our Government which that policy is causing among many Americans who, like us, want to believe in the high purpose and constructive world role of the United States.

A good deal of this erosion is caused by the growing impression that the United States is unclear about its goals in Vietnam and is not facing realistically the alternatives available to it. American actions often seem unconnected to the rhetoric used to describe what we are doing, a situation that invites cynicism and suspicion about American rhetoric—and goals—in places far removed from Vietnam itself. We have observed how American efforts can be hampered by such suspicions even in places where these efforts are most constructive.

Our observations among returned Peace Corps Volunteers confirm the report of the Student Body Presidents that the United States may find ". . . some of her most loyal and courageous young people . . ." unwilling to serve in the Armed Forces in Vietnam. We are, moreover, fearful that if the disenchantment accelerates, it will undercut the enthusiasm so necessary to the vitality and effectiveness of the Peace Corps itself. There are creative and dedicated people who will be reluctant to participate at all in overseas programs of the Government, a state of affairs that would be unfortunate for the United States and tragic for those Americans who would thus be deprived of what should be one of the great experiences of their lives.

We know the vision of the world that motivated yourself, President Kennedy, Vice President Humphrey, Sargent Shriver and other American leaders to create the Peace Corps; the same vision inspired many of us to join. It is because we see the fulfillment of that vision threatened that we are prompted to report to you our feelings.

On behalf of the eight hundred signators, this letter is submitted by the executive committee.

Mr. FRANCIS ANDREW,
Chairman.
Mr. ERIC REUTHER,
Member.
Mr. BURT SEGALL,
Member.
Mr. E. PHILLIP LEVEEN,
Member.
Mr. ALBERT C. ULMER,
Member.

Abbott, Samuel, Oakland, California.
Abramson, Robert, Newton, Mass.
Adam, Suzanne, San Francisco, Calif.
Adams, Cynthia, Boston, Mass.
Adorno, Mrs. Paul, Philadelphia, Pa.
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Alamprese, Rose, El Tuna, Pa.
Albritton, Robert R., Santa Monica, Calif.
Alderman, Kate, Bloomington, Ind.
Allen, David C., Providence, R.I.
Allen, Hamilton, Providence, R.I.
Allen, Mrs. Irene Bristol, Providence, R.I.
Allensworth, Diane, Paulding, Ohio.
Allensworth, John, Paulding, Ohio.
Alther, Roxanne, New York, N.Y.
Anderson, Ward, Denver, Colo.
Anderson, Andy, Washington, D.C.
Andrew, Francis E., Chicago, Ill.
Andrew, Hazel M., Chicago, Ill.
Angle, Burt, Madison, Wisconsin.
Arndve, Robert, Stanford, Calif.
Asmundson, Mary, Davis, Calif.
Atkinson, Joel, Tallahassee, Fla.
Attebury, Rich, Eugene, Oregon.
Axelrod, Robert George, New York, N.Y.
Ayala, Anne Okada, Waimea Kauai, Hawaii.
Ayala, Stephen Charles, Rodeo, Calif.
Bach, John, Milwaukee, Wisc.
Baker, Fred, Michigan.
Baldwin, Melinda, Racine, Wisc.
Ballantine, Harden, New York, N.Y.
Ballwanz, Howard, New York, N.Y.
Bane, Mary Jo, Foxboro, Mass.
Banfield, Joan, New York, N.Y.
Barbur, Marilyn Jean, San Francisco, Calif.
Baron, Richard J., Chicago, Ill.
Bartholomew, Susan G., Minneapolis, Minn.
Bastone, Mike, New York, N.Y.
Baumstone, Carol, Iowa City, Iowa.
Baumstone, Robert, Iowa City, Iowa.
Baxter, Marybell, Tulsa, Okla.
Baylor, Jim, San Francisco, Calif.
Beal, John, Chicago, Ill.
Beatty, David, Chicago, Ill.
Bechtol, Ronald, New York, N.Y.
Beck, Bruce, Madison, Wisc.
Beckwith, Merle, Los Angeles, Calif.
Beechem, Sara Gay, La Jolla, Calif.
Beemer, Halsey, Pittsfield, Mass.
Beemer, Jane, Pittsfield, Mass.
Beery, Sara J., New York, N.Y.
Beklotz, Perry, New York, N.Y.
Bell, Doug, Washington, D.C.
Bemis, Michael, Madison, Wisc.
Benjamin, Martin, Chicago, Ill.
Berezen, James, Denver, Colorado.
Bergthold, Gary, Bakersfield, Calif.
Bergthold, Linda, Pasadena, Calif.

Bernstein, James, Ann Arbor, Mich.
Berry, LeVele, Washington, D.C.
Bestock, Paul, Chicago, Ill.
Bestol, Paul, Chicago, Ill.
Biesemeyer, David, New York, N.Y.
Binder, Jim, Los Angeles, Calif.
Bing, Ann H., Oakland, New Jersey.
Bloom, Leonard, New York, N.Y.
Blumberg, Rae, Evanston, Ill.
Boegli, Janet, Washington, D.C.
Boehm, Gerold, Lacrosse, Wisc.
Boerst, William J., Jamestown, N.Y.
Bordene, Mary, Philadelphia, Pa.
Botarelli, Vincent, North Haven, Conn.
Botkin, Daniel, Somerset, N.J.
Botkin, Ellen C., Somerset, N.J.
Bowden, Joyce Mallard, Fort Lauderdale, Fla.
Boyan, Bouglas, Rutherford, N.J.
Boyer, Jeff, Washington, D.C.
Bradford, Al, Mobile, Ala.
Bradley, John M., Pittsburgh, Pa.
Brainard, Joel, Baltimore, Md.
Brandon, Terry, Wichita, Kansas.
Brandt, Max H., Los Angeles, Calif.
Briscoe, John A., Lakeville, Conn.
Brodkey, Dean, Los Angeles, Calif.
Brooks, E. Edwin, Orange, Va.
Brown, Aubry III, New York, N.Y.
Brown, Caroline, Washington, D.C.
Brown, Dorothy, Bakersfield, Calif.
Brown, Ethel M., Washington, D.C.
Brown, Jerald R., Iowa City, Iowa
Brown, Pat, Highland, Ind.
Bryant, G. D., Cambridge, Mass.
Buddenhagen, John M., New York, N.Y.
Budharber, Susan, Portland, Ore.
Buff, Steve, Chicago, Ill.
Bugbee, John, Bloomington, Ind.
Bugbee, Mary, Bloomington, Ind.
Bunce, Barbara, Saratoga Springs, Fla.
Burke, William, New York, N.Y.
Burnett, Frederick W., Jr., New Paltz, N.Y.
Burnstein, Judy, New York, N.Y.
Burr, Timothy, Fairfield, Conn.
Bussenmyer, Jay, Pittsburgh, Pa.
Byrd, Joan, Lakeland, Fla.
Byrne, Patrick, New York, N.Y.
Campbell, Kathy, Paoli, Pa.
Caracao, Jack, New York, N.Y.
Carroll, Kent, Tonawanda, N.Y.
Carter, Tom, Portland, Ore.
Carverse, Howard, San Francisco, Calif.
Case, Claude, Phoenix, Ariz.
Case, Harold, Santa Maria, Calif.
Catlett, Catherine, New Orleans, La.
Cederberg, Nancy, Asland, Wisc.
Chacki, Donald, New York, N.Y.
Chambliss, Ida B., Atlanta, Ga.
Chandler, Geffrey, San Francisco, Calif.
Charbonneau, Jerry, Detroit, Mich.
Charleton, Vern, New York, N.Y.
Chatfield, Mike, Los Angeles, Calif.
Checki, Donald, New York, N.Y.
Clare, Randall, San Francisco, Calif.
Clark, Daniel, New York, N.Y.
Clauson, Herb, Rockford, Ill.
Clem, Judy, Huntsville, Ala.
Clyde, George H. Jr., Santa Barbara, Calif.
Cochran, Virginia, New York, N.Y.
Coel, Enid, New York, N.Y.
Coffeen, Kenneth, Milwaukee, Wisc.
Coit, Mrs. Karen, Cambridge, Mass.
Coit, Robert, Cambridge, Mass.
Colbert, Vera, Macon, Ga.
Collazo, Dora, New York, N.Y.
Collie, Jim, Washington, D.C.
Collier, Ann, Washington, D.C.
Collier, John, Washington, D.C.
Collier, Sally, Fort Myers, Fla.
Condy, Pete, New York, N.Y.
Conners, Lucy Anne, New York, N.Y.
Conroy, Mike, New Orleans, La.
Corcoran, Patricia, Richmond Hill, N.Y.
Countryman, Karen, New York, N.Y.
Courtright, Karen, Littleton, Colo.
Coventry, Philip, Atlanta, Ga.
Craven, Forrest, Vallejo, Calif.
Craven, William D., Hellertown, Pa.
Cravotto, Rudy, San Francisco, Calif.
Crawford, Charlotte, New York, N.Y.
Crepeau, Richard, Minnesota.
Crespi, Robert, Mastic Beach, N.Y.
Crew, Alan, New York, N.Y.
Cross, Harry, San Francisco, Calif.
Crosts, Trudy, Denver, Colo.
Cull, William H., Chicago, Ill.
Cunningham, Anne, Baltimore, Md.
Cytron, Sally, Beverly Hills, Calif.
Dahl, Barbara, San Francisco, Calif.
Damon, Paulette, Iowa City, Iowa
Damon, Phillip, Iowa City, Iowa.
Danfield, Joan, Kansas City, Mo.
Darling, Douglas, Tulsa, Okla.
Daugavietis, Raymond, Grand Haven, Mich.
Dauwen, John J., New York, N.Y.
Davenport, Henry, Mamaroneck, N.Y.
Davenport, Sally, Los Angeles, Calif.
Davis, Joyce, New York, N.Y.
Day, Billie, Denver, Colo.
Dean, Gail, Chicago, Ill.
Defour, James, Philadelphia, Pa.
DeHef, Dennis, Chicago, Ill.
Delia, Gabriella, Bloomington, Ind.
DeMille, Joyce, Denver, Colo.
Deming, Kay, Philadelphia, Pa.
Demos, John P., Somerville, Mass.
Dennison, Robert, New York, N.Y.
Dennison, Susan, New York, N.Y.
Dethman, K. V., Portland, Ore.
Detlef, Carol Ann, Chicago, Ill.
DeWerth, Patricia, New York, N.Y.
Diamond, David, Keene, N.H.
Dichter, Thomas, Croton-on-the-Hudson, N.Y.
Dietrich, Bruce, Pittsburgh, Pa.
Dimock, Wynne, Marietta. Ga.
Dintenfass, Mark L., Iowa City, Iowa.
Dintenfass, Phyllis H., Iowa City, Iowa.
Dixon, Gale, Portland, Ore.
Dixon, Mike, Detroit, Mich.
Dodson, Elizabeth, Philadelphia, Pa.
Dorsey, David B., Wheaton. Ill.
Dowell, Robert, Chicago, Ill.
Dragisic, John, Jr., Spokie, Ill.
Dresser, Herbert, Baltimore, Md.
Drexht, Harry, Bronx, N.Y.
Duberstein, Michael, Los Angeles, Calif.
Dubetsky, Alan, Chicago, Ill.
Dubinsky, Irwin, Pittsburgh, Pa.
Dunetz, Nancy S., New York, N.Y.
Dunn, James, Waukesha, Wisc.
Dunn, Marcy, Albuquerque, N. Mex.
Dymo d, Rosetta, Washington, D.C.
Dynn, James, New York, N.Y.
Eagle, Barbara, Birmingham, Mich.
Eagle, Herbert J., Mt. Vernon, N.Y.
Edwards, Daniel, El Centro, Calif.
Edwards, Linda, Brewster, Wash.
Edwards, Maurice E., Nashville, Tenn.
Eichhorn, Douglas L., Wellesley, Mass.
Eichhorn, Mary L., Wellesley, Mass.
Engelberg, Allan A., Los Angeles, Calif.
English, John, Tulsa, Okla.
Ennes, Judy, New York, N.Y.
Entenman, George, Chicago, Ill.
Fagen, David G., Chicago, Ill.
Fair, June, New York, N.Y.
Fann, Sally, Houston, Texas.
Farah, Mark, New York, N.Y.
Feibert, Larry, Detroit, Mich.
Feld, Stanley, Philadelphia, Pa.
Feldblum, Amy, Syasset, N.Y.
Felstead, Darme, Mesa, Ariz.
Feltz, Lawrence L., Elgin, Ill.
Fielding, Audry, Washington, D.C.
Fielding, David, Washington, D.C.
Fine, Paul, New York, N.Y.
Fisher, John B., East Aurora, N.Y.
Fishkin, Bernard, Philadelphia, Pa.
Fitzgerald, Stephanie, New York, N.Y.
Fitzpatrick, Peter A., Lexington, Mass.
Fitzpatrick, Ted, Washington, D.C.
Flexner, William A., Oklahoma City, Okla.
Florsheim, Steven, New York, N.Y.
Foley, Doug, Stanford, Calif.
Forsyth, Natalia, Hubbard, Ohio
Fox, H. Ernest, San Francisco, Calif.
Francis, Mark, San Francisco, Calif.
Franke, Larry, Indianapolis, Ind.
Franklin, John W., Darien, Conn.
Franklin, Peter, New York, N.Y.
French, Mirian, San Francisco, Calif.
Fuller, M. Elaine, Birmingham, Ala.
Gabiou, Jeffrey Joseph, Chicago, Ill.
Gale, Mike, Los Angeles, Calif.
Gallery, Marcia Lee, Chicago, Ill.
Galoger, Ethan, New York, N.Y.
Gannaway, Nancy, San Francisco, Calif.
Gans, Majorie, Washington, D.C.
Gardfalo, V. James, Oneida, N.Y.
Garrity, Milton, Cambridge, Mass.
Garrity, Nancy, El Paso, Texas
Gelenter, Abbot, New York, N.Y.
George, Rosemary, Norwalk, Calif.
Gibbons, Mary, New York, N.Y.
Gibney, Jon, Philadelphia, Pa.
Gibson, Catherine, Tulsa, Okla.
Gilligan, Frank, New York, N.Y.
Gilman, Charles, Evanston, Ill.
Gingras, Edward J., Dumont, N.J.
Goetz, Mrs. Julie Anne, Cambridge, Mass.
Goetze, Rolf, Cambridge, Mass.
Goldberg, Maxine, Madison, Wisc.
Goldberg, Michael, Madison, Wisc.
Golden, Jeffrey, Madison, Wisc.
Goldschmidt, Mary, Drexel Hill, Pa.
Goldsmith, Richard N., Chicago, Ill.
Gonzales, Gilbert, Alhambra, Calif.
Googins, Sally, Novato, Calif.
Gore, Peter H., New York, N.Y.
Gorell, Richard, Chicago, Ill.
Gould, Andrew, Stanford, Calif.
Grace, Elizabeth, Flushing, N.Y.
Gradke, Robin, Madison, Wisc.
Graf, William, Maplewood, N.J.
Graham, Beverly, San Francisco, Calif.
Gray, Harold S., Claremont, Calif.
Green, Mark, Washington, D.C.
Greenfield, Jan, Bloomington, Ind.
Greg, Diane, San Francisco, Calif.
Greiner, Mary Anne, New York, N.Y.
Greiseo, Larry, Gresham, Oreg.
Griffin, Mary, Evanston, Ill.
Grigartis, Patricia E., Wilkes-Barre, Pa.
Grobe, Douglas, Phoenix, Ariz.
Grossman, Neil K., New York, N.Y.
Gruberg, Edward R., Champaign, Ill.
Grunnet, Patricia, Tulane, Calif.
Guild, Stephen, Oklahoma City, Okla.
Grunbaum, Dorien, New York, N.Y.
Hagerman, Janet K., Denver, Colo.
Haley, Andy, Washington, D.C.
Hamilton, Bob, Upper Darby, Pa.
Hamilton, George Roger, San Francisco, Calif.
Hamilton, Thomas, Philadelphia, Pa.
Hammond, John, Jr., Chicago, Ill.
Hanna, Jeanne, Woodside, N.Y.
Hansen, David, Palm Bay, Fla.
Hansen, Andrew M., New York, N.Y.
Hanson, June A., New York, N.Y.
Haria, Leon, New York, N.Y.
Harrington, Eugene, Houston, Texas.
Harris, John, San Francisco, Calif.
Harris, Thomas, New York, N.Y.
Harrison, Gayle, San Francisco, Calif.
Hart, Lucy B., Eugene, Oreg.
Hartwell, Alfred, Honolulu, Hawaii.
Hatch, John, Los Angeles, Calif.
Hawthorne, Bill, San Francisco, Calif.
Hawthorne, Lee, New York, N.Y.
Hawthorne, Mark, New York, N.Y.
Hecker, Susan, New York, N.Y.
Hegan, James, New York, N.Y.
Hegler, Roger, Baton Rouge, La.
Helwig, Jeff, Kans.
Hemphill, Alan, Sarver, Pa.
Hepper, Laura, Philadelphia, Pa.
Herrin, Martha, Indianapolis, Ind.
Herron, Margaret, San Francisco, Calif.
Herron, William, Whitestone, N.Y.
Herschi, Sharleen, Rexburg, Idaho
Herzburg, Dorothy Cruz, San Francisco, Calif.
Herzburg, Hershel Z., San Francisco, Calif.
Heurich, William, New York, N.Y.
Hiers, Thomas G., Darlington, S.C.
Higdon, Joe, Washington, D.C.
Higgins, Ann E., San Francisco, Calif.
Higgins, James J., Evanston, Ill.
Hodge, Datherine, Frankfort, Ind.
Hord, Roger, Lake Oswego, Ore.
House, David, Gresham, Ore.
Howard, Karen L., Pittsburgh, Pa.
Howard, Theodore B., Pittsburgh, Pa.

Howe, Larry, Palo Alto, Calif.
Hoyt, Timothy, New Providence, N.J.
Hudson, Grover, Los Angeles, Calif.
Hughes, Kathy, New Orleans, La.
Huitric, Roger A., San Francisco, Calif.
Hunter, Larry, Bloomington, Ind.
Hurwitz, Milton H., Arlington, Va.
Hutchinson, David, Syracuse, N.Y.
Hutchinson, Duke H., Fort Lauderdale, Fla.
Hyat, Barbara, Portland, Ore.
Hyat, Judson, Portland, Ore.
Ingle, Clyde R., Syracuse, N.Y.
Ingle, Eva P., Syracuse, N.Y.
Irish, Dick, Washington, D.C.
Irish, Sally, Washington, D.C.
Jablonski, James, Stevens Point, Wisc.
Jackson, Niles, Chicago, Ill.
Jackson, Phyllis, New York, N.Y.
Jacobi, Robert, Bedford, N.Y.
Jacobs, Nina, Atlanta, Ga.
Jager, Thomas K., Chicago, Ill.
Jameson, Kenneth, Denver, Colo.
Jameson, Penny, Denver, Colo.
Jason, Robert, Bluefield, W. Va.
Jelinski, Jack, Minocqua, Wisc.
Jenkins, Martha M., New York, N.Y.
Jennings, Henry L., Frankfort, Ind.
Jewell, Michael, Washington, D.C.
Johnson, Anita, Bloomington, Ind.
Johnson, Bill, New York, N.Y.
Johnson, Glenderlyn A., New York, N.Y.
Johnson, Karen, Washington, D.C.
Johnson, Stephan, New York, N.Y.
Johnson, Willard, Mendota, Ill.
Johnston, Becky, New York, N.Y.
Jones, Alfred F., New York, N.Y.
Jones, Cedran, San Francisco, Calif.
Jones, Helen M., Berkeley, Calif.
Jones, Kirby, Bedford, N.Y.
Julian, Willard, New York, N.Y.
Kafoury, Gretchen, Portland, Ore.
Kafoury, Steve, Portland, Ore.
Kase, Mary Ellen, Washington, D.C.
Katz, Frank, Stanford, Calif.
Katz, Marlaine, Stanford, Calif.
Kedl, Kent, New York, N.Y.
Keesinger, Tom G., Chicago, Ill.
Keith, Rachel, Chicago, Ill.
Kellenberger, J., Eugene, Ore.
Kelley, Nancy, La Canada, Calif.
Kelley, Paul, San Francisco, Calif.
Kelly, Kathleen, New York, N.Y.
Kennedy, Geraldine, Los Angeles, Calif.
Kennedy, Jim, Los Angeles, Calif.
Kennedy, John C., Boston, Mass.
Kennedy, Mrs. John C., Boston, Mass.
Keramidas, Harry, Detroit, Mich.
Kern, John, Madison, Wisc.
Keyerleber, Joseph, Palo Alto, Calif.
Keyes, Meredith, Cambridge, Mass.
Kianka, Ed, Trenton, N.J.
King, Harlan W., San Francisco, Calif.
Kinsey, Bill, Washington, D.C.
Kinsley, Dale, Illinois
Kinsley, Jane, Illinois
Kirlin, John, Los Angeles, Calif.
Kitson, Beverly, E. Hampton, Mass.
Kitson, David, E. Hampton, Mass.
Klein, John, Madison, Wisc.
Knauss, William, Detroit, Mich.
Knudsen, Carmelli, San Francisco, Calif.
Knudsen, Mark, San Francisco, Calif.
Kobrin, Rosalyn, Bronx, N.Y.
Kolb, James, Cambridge, Mass.
Kolodz, Tom, Chicago, Ill.
Komarmy, Joe, Bakersfield, Calif.
Kopecky, Nancy, Detroit, Mich.
Kral, Thomas, Berwyn, Ill.
Krueger, Jo Ann, Wansan, Wisc.
Kruenpel, Beverly, Independence, Iowa.
Kruenpel, Kenneth, Independence, Iowa.
Kulappki, John J., Milwaukee, Wisc.
Kurtz, Steve, Woodbine, N.J.
Lair, Mary Christina, San Francisco, Calif.
Lake, Sharon, Rapid City, S. Dakota.
Landrum, Roger, Boston, Mass.
Lange, Roberta, Exeter, Calif.
Lapp, Douglas M., Springfield, Ill.
Larcade, John, New York, N.Y.
Larson, Charles, Washington, D.C.
Larson, Frances, Milwaukee, Wisc.
Lavelle George C., Minneapolis, Minn.
Lavicka, Judith, New York, N.Y.
Laws, Nancy, Mercer Island, Wash.
Lebenson, Elizabeth, New York, N.Y.
Lederman, Robert, Bronx, N.Y.
Lee, Brownie, New York, N.Y.
Lee, Ronald Demos, San Francisco, Calif.
Lemkin, Jane, Pittsburgh, Pa.
Lemkin, Richard H., Pittsburgh, Pa.
Lennon, Jean, Chicago, Ill.
LeVeen, Debra, Los Angeles, Calif.
LeVeen, Phillip, Los Angeles, Calif.
Levine, William, Chicago, Ill.
Levison, Eliot, Palo Alto, Calif.
Levy, John, Syracuse, N.Y.
Levy, John, San Francisco, Calif.
Levy, Kaye, Syracuse, N.Y.
Lewis, Walter, Greenville, Miss.
Lezar, Keith, San Francisco, Calif.
Lieberman, Pam, San Francisco, Calif.
Lieberman, Steve, San Francisco, Calif.
Limbert, John, Washington, D.C.
Lipson, Charlette, New York, N.Y.
Loffe, Judy, Milwaukee, Wisc.
Logsdon, David, New York, N.Y.
Long, Carolyn, Milton, Mass.
Longcore, Randall, Bloomington, Ind.
Longley, Charlie, Chapel Hill, N.C.
Lord, Jack, Los Angeles, Calif.
Lord, John G., Swarthmore, Pa.
Lother, Kevin, Westport, Conn.
Lowry, Heath, Portland, Ore.
Lowry, Jeanie, Portland, Ore.
Lund, Michael, Rockford, Ill.
Lundstedt, Jeff, New York, N.Y.
Lynn, Nancy, San Francisco, Calif.
Lyon, Judson M., New York, N.Y.
MacBain, Bruce, Chicago, Ill.
MacBain, Carol Joan, Chicago, Ill.
MacKethan, Toi, Fayetteville, N.C.
MacNamara, Barbara J., Washington, D.C.
Mahle, Philip, Rockford, Ill.
Maidenberg, Michael, Marion, Ind.
Malin, Dicht, Chicago, Ill.
Malloni, Pauline, Bronx, N.Y.
Mann, James Q., Clovis, Calif.
Marinkovich, Tom, Los Angeles, Calif.
Mark, Jerry, Iowa City, Iowa
Marrero, Ora, New York, N.Y.
Marshall, Donna, Pittsburgh, Pa.
Marshall, William, Pittsburgh, Pa.
Martin, Joyce, New York, N.Y.
Martin, Sue, San Francisco, Calif.
Martinchek, Emma Jean, White Haven, Pa.
Mason, Georgiana, New Orleans, La.
Mason, Patsy, Hartford, Conn.
Mathes, Paul, San Francisco, Calif.
Mathews, Mary, Detroit, Mich.
Matro, Mary Cavas, Nixon, N.J.
McAuliff, John, Washington, D.C.
McClain, Howard, Washington, D.C.
McClain, Priscilla, Washington, D.C.
McClearey, Karen, Atlanta, Ga.
McClelland, Dan, Amherst, Mass.
McCloud, Catherine, New Orleans, La.
McClusky, Jon, Western Spring, Ill.
McIntyre, Michael, Attleboro, Mass.
McKar, Susan, New York, N.Y.
McNulty, Janet, Chicago, Ill.
Means, Joan, Los Angeles, Calif.
Meara, Alice May, Chicago, Ill.
Melinkovich, Georgyn, Pacific Palisade, Calif.
Menon, Meryl B., Wallingford, Conn.
Meyers, John, Freeport, Ill.
Mikkelsen, Lawrence K., Jr., Tacoma, Wash.
Miller, Frank J., Passaic, N.J.
Miller, Lucille C., New York, N.Y.
Miller, Pamela, Des Moines, Iowa.
Miller, Rhoda, Englewood, N.J.
Miller, Thomas, New York, N.Y.
Mirin, Leonard, New York, N.Y.
Miron, David, Philadelphia, Pa.
Miron, Mrs. David, Philadelphia, Pa.
Mitchell, Barbara, Philadelphia, Pa.
Mjaanes, Rolf, Madison, Wisc.
Moeller, Myra, Detroit, Mich.
Morgan, Nelson A., Jr., Smithfield, N.C.
Morin, Molly, Washington, D.C.
Morrison, Joe, Tonawanda, N.Y.
Morrison, Sam, San Francisco, Calif.
Morse, Wendell, Jr., Harrisburg, Vt.
Moulton, Dan III, N. Brookfield, Mass.
Muirhead, John, Chicago, Ill.
Mullins, Patti, Washington, D.C.
Mullins, Tom, Fort Wayne, Ind.
Mundstak, Jay, Detroit, Mich.
Murphy, Jim, New York, N.Y.
Murphy, Paul, Bloomington, Ind.
Murphy, Penny, Bloomington, Ind.
Murray, Jerry, Revere, Mass.
Myers, Ivan E. II, Wheeling, W. Va.
Myers, Rosemary, New York, N.Y.
Nagle, Michael E., Chicago, Ill.
Naiman, Howard, New York, N.Y.
Nash, Deanna, Palo Alto, Calif.
Nash, Joel E., Palo Alto, Calif.
Nathan, Barry, Washington, D.C.
Neher, Clark, Los Angeles, Calif.
Nevadomsky, Joseph, San Francisco, Calif.
Newhall, Tony, Palo Alto, Calif.
Newman, Paul, New Haven, Conn.
Nibling, Herm, Iowa City, Iowa.
Nowlan, Wayne, Chicago, Ill.
Nowok, Doris, San Francisco, Calif.
O'Connor, Jeanne, Portage, Wisc.
O'Connor, Kathy, Washington, D.C.
O'Connor, Theron, Portage, Wisc.
Offner, Carl, Darien, Conn.
Ogren, Nichel, San Francisco, Calif.
Olafson, Freya, Ithaca, N.Y.
Olsen, Bob, Bloomington, Ind.
Olson, Carl E., Chicago, Ill.
Olson, Judy, New York, N.Y.
Oman, Larry, Monroeville, Ind.
Omo, Carol, Washington, D.C.
Omo, Larry, Washington, D.C.
O'Neal, Gary S., New York, N.Y.
O'Neill, Judith Ann, Pittsburgh, Pa.
O'Neill, Vin, Pittsburgh, Pa.
Onken, Carl, New York, N.Y.
Onken, Mrs. Carl, New York, N.Y.
Opin, Kenneth S., Boston, Mass.
Oppenheimer, Peter, Palo Alto, Calif.
Oppenheimer, Robert, San Francisco, Calif.
Orr, Joseph A., Chicago, Ill.
Orr, Patricia, Chicago, Ill.
Ott, Genevieve, New York, N.Y.
Packer, Bonnie, New York, N.Y.
Packer, Freeman, New York, N.Y.
Palmberg, Thomas, Pittsburgh, Pa.
Paneras, Charles, Chapel Hill, N.C.
Pankratz, Audrey, Marshfield, Wisc.
Parker, Jerry, Portland, Ore.
Parsons, Joyce, Southampton, Mass.
Paschall, Stephen, New Haven, Conn.
Paterson, Noel, Philadelphia, Pa.
Paterson, Mrs. Noel, Philadelphia, Pa.
Pearle, John T., Chicago, Ill.
Pearson, Robert, Washington, D.C.
Pearson, Rosiland, Washington, D.C.
Peebles, Patrick A., Chicago, Ill.
Peterson, Thomas H., Santa Monica, Calif.
Peterson, William J., Aurora, Ill.
Pfankuch, Marjorie, Menasha, Wisc.
Phillips, Sandra L., Kettering, Ohio.
Pierce, Leslie P., Boca Raton, Fla.
Pierce, Nancy, Bloomington, Ind.
Pierson, Vrijmore, Newton, Mass.
Plitt, William, Baltimore, Md.
Pollard, Freeman, New York, N.Y.
Poole, Mary, Hendersonville, N.C.
Porter, Edward A., Weymouth, Mass.
Portugal, Pamela, San Francisco, Calif.
Potter, Bruce, Washington, D.C.
Prather, Emelie, Los Angeles, Calif.
Prather, George, Los Angeles, Calif.
Price, Virginia, New York, N.Y.
Pyne, Maureen, New York, N.Y.
Rabinoff, Roberta, Denver, Colo.
Radloff, James, Wausau, Wisc.
Randle, David, Lebanon, Ind.
Rattan, Georgiana, New York, N.Y.
Rattan, Roger B., New York, N.Y.
Raymond, Nancy, Pontiac, Mich.
Reardon, Mary Ann, Evanston, Ill.
Reavton, David, Washington, D.C.
Rebev, Vera, Dayton, Ohio.
Redfield, Jerry, Lake Bluff, Ill.
Reed, Martha, Warren, Pa.
Reggy, Mae, Washington, D.C.
Rehwald, Mary, Rockford, Ill.
Reidy, Elaine, Waterbury, Conn.
Reingold, Leslie, Los Angeles, Calif.
Renenour, David, New York, N.Y.

Reningen, Vernon, Minnesota.
Reuther, Eric, San Jose, Calif.
Richardson, Michael, Hyde Park, Vt.
Richey, Vern K., Charleston, Ill.
Ridenour, David, New York, N.Y.
Rieder, Mrs. Corinne, Cambridge, Mass.
Riemer, Connie, Washington, D.C.
Robbins, Wendy, Darien, Conn.
Roberti, Dick, Los Angeles, Calif.
Roberti, Jackie, Los Angeles, Calif.
Robinson, Leonard, Jr., Greensboro, N.C.
Rohrs, Gary, New York, N.Y.
Ropee, Ann, New York, N.Y.
Rork, Patricia, Bethesda, Md.
Rosen, Charles, Chicago, Ill.
Rosen, Ruthi, Richmond, Va.
Ross, Peter, San Francisco, Calif.
Royal, Ruth, Milwaukee, Wisc.
Rucker, Henry, Washington, D.C.
Russell, David, New York, N.Y.
Ryan, Fran, San Francisco, Calif.
Ryan, Judy, Randolph, Wisc.
Safran, Joan, Detroit, Mich.
Saggese, Vivian Gold, Elmhurst, N.Y.
Salant, Michael, Palo Alto, Calif.
Salenas, Rudy, Los Angeles, Calif.
Samiljan, Jim, Stanford, Calif.
Sample, Barbara, New York, N.Y.
Sampson, Mrs. Gloria, Ann Arbor, Mich.
Santaniello, Andrea, New York, N.Y.
Sarrel, Bernard, New York, N.Y.
Scarpitti, Patricia, Kent, Ohio.
Schafer, John C., East Arlington, Vt.
Schechtman, Anna, Los Angeles, Calif.
Scheper, Nancy, New York, N.Y.
Schickele, David, San Francisco, Calif.
Schiers, Ruth Dygert, New York, N.Y.
Schimmel, Gordon, Battle Creek, Mich.
Schlochauer, Marianne, Stamford, Conn.
Scholnick, S. M., Swampscott, Mass.
Schrand, Ann, Riva, Md.
Shrawder, Connie, New Orleans, La.
Schwadron, Harley, San Francisco, Calif.
Schwinn, Gerald, Washington.
Seaton, David, New York, N.Y.
Segall, Burton A., New York, N.Y.
Segall, Mary, New York, N.Y.
Seidel, James Stephen, Little Neck, N.Y.
Seymour, Jennifer, New York, N.Y.
Seymour, Martha, New York, N.Y.
Shadbolt, Christi, San Francisco, Calif.
Shadbolt, Larry M., San Francisco, Calif.
Shaheen, Paul, Detroit, Mich.
Shapiro, Harold, Chicago, Ill.
Sharp, William Frederick, Chapel Hill, N.C.
Shields, Richard, Chicago, Ill.
Shrawder, Connie, New Orleans, La.
Shurtleff, William Ray, New York, N.Y.
Silver, Harvey, De Kalb, Ill.
Silvernail, Patricia Wand, Troutdale, Oreg.
Sims, Barbara, Rocky River, Ohio
Sloan, Daniel A., Pittsburgh, Pa.
Smith, Bob, Washington, D.C.
Smith, David, Chester, Conn.
Smith, Espinola, New York, N.Y.
Smith, Gregg, Washington, D.C.
Smith, Hoyt A., Bixby, Okla.
Smith, Hugh, Pittsburgh, Pa.
Smith, Mary, Chester, Conn.
Smythe, Marianne K., New York, N.Y.
Smythe, Robert B., New York, N.Y.
Snee, Carole A., Woodland Hills, Calif.
Snodgrass, John M., St. Louis, Mo.
Sorenson, Ronald, New York, N.Y.
Sorrel, Bernard, New York, N.Y.
Southworth, William, Chicago, Ill.
Spangler, Stephen, Toledo, Ohio
Spaulding, Ruth, Greensburg, N.C.
Spear, Thomas J., New York, N.Y.
Spencer, Betty, San Francisco, Calif.
Spencer, Maurice, Kalkaska, Mich.
Stallman, Kenneth, Eagle River, Wisc.
Stanley, Dave, Vienna, Va.
Starkweather, Frank, Saginaw, Mich.
Stein, Carol, New York, N.Y.
Stephani, Carol J., San Francisco, Calif.
Steppe, Thomas, Washington, D.C.
Stevens, Hope Batchelder, Chicago, Ill.
Stevens, Philips, Evanston, Ill.
Steward, Ruth, Santa Monica, Calif.
Stockton, Robyn, New York, N.Y.
Stone, Janet, New York, N.Y.
Stork, Joseph, New York, N.Y.
Strassburg, Paul, New Haven, Conn.
Strauch, Judith, Berkeley, Calif.
Strauss, Douglas, New York, N.Y.
Strauss, Leonard, Palo Alto, Calif.
Swann, Howard, San Francicsco, Calif.
Swanson, Thomas A., New York, N.Y.
Tadevic, Jule Anne, Chicago, Ill.
Tadlock, Chuck, Chicago, Ill.
Talcott, Janet, Seattle, Wash.
Tandy Miles, Austin, Texas
Taub, Mara, New York, N.Y.
Taylor, Bob, Middletown, Conn.
Taylor, Elizabeth, Denver, Colo.
Teller, Bob, Los Angeles, Calif.
Teller, Joseph, Los Angeles, Calif.
Tener, Jeffrey, Bemus Point, N.Y.
Thomas, David, Chicago, Ill.
Thomas, Mike, San Francisco, Calif.
Thomas, Ralph, Philadelphia, Pa.
Thomas, Timothy, New Orleans, La.
Thompson, C. Wayne, New York, N.Y.
Thompson, Ruth S., New York, N.Y.
Thomsen, Michael A., Pennington, Calif.
Thomson, James T., Stevens Point, Wisc.
Tierney, Paul, Cambridge, Mass.
Timberg, Tom, Washington, D.C.
Timmel, Sally, Cincinnati, Ohio
Titz, Mike M., Attleboro, Mass.
Todd, Fred, Truro, Mass.
Todd, Sue, Chapel Hill, S.C.
Tonskemper, Sue, Los Angeles, Calif.
Torgersen, Eric, Iowa City, Iowa.
Torphy, Helen, Lynn, Mass.
Torphy, John, Madison, Wisc.
Unger, Burton, Port Washington, N.Y.
Vanda, Cynthia, Philadelphia, Pa.
Van Horn, David, Milton, Wisc.
Varnum, Carole, Washington, D.C.
Veatch, Mrs. Laurelyn, Evanston, Ill.
Veech, Jay Alexander, Pittsburgh, Pa.
Vigo, Anthony W., Jr., Berkeley, Calif.
Vincent, Vincent, Milwaukee, Wisc.
Vittatow, Pat, Boston, Mass.
Vittatow, Richard, Boston, Mass.
Vogt, Natalie, New York, N.Y.
Vulgaris, Matina, Washington, D.C.
Wagenius, Dwight, Minneapolis, Minn.
Wagner, Lowell E., Chicago, Ill.
Wald, Rita, New York, N.Y.
Walker, Mamie L., Maltapan, Mass.
Waller, Wayne, San Francisco, Calif.
Walsh, Barbara, Middletown, Conn.
Walsh, Peter, Washington, D.C.
Ward, Haskell, Los Angeles, Calif.
Wardle, Alison, Omaha, Nebraska
Watson, Don, New Haven, Conn.
Watson, Ellen, Stanford, Calif.
Watson, Roger, Stanford, Calif.
Waye, Bonny L., Needham, Mass.
Weintraub, Myles, New York, N.Y.
Weintraub, Neil, Easton, Pa.
Wells, Jesse C., San Francisco, Calif.
Wernet, Robert, Honolulu, Hawaii
West, Georgia, Madras, Oreg.
White, Elizabeth, Middleburg, N.Y.
White, Esther, Richmond, Va.
Whitson, William L., San Francisco, Calif.
Wie, Bill Van, Wheeling, W. Va.
Wie, Gail Van, Watertown, N.Y.
Wilder, Barbara, Los Angeles, Calif.
Wilder, Norma, Los Angeles, Calif.
Wilkins, Jean, Madison, Wis.
Will, Jon N., Chicago, Ill.
Williston, Patricia, New York, N.Y.
Willson, John, Chicago, Ill.
Willson, Linda, Chicago, Ill.
Wilson, Eva Lynn, San Francisco, Calif.
Wilson, Gloria, New York, N.Y.
Wilson, James W., Durham, N.C.
Wilson, James, Chicago, Ill.
Wilson, Linda, Weiser, Idaho.
Wilson, Patricia, New York, N.Y.
Wingert, Katherine Brown, Chicago, Ill.
Winklemen, John, Los Angeles, Calif.
Wise, Hugh, Princeton, N.J.
Witty, Richard, New York, N.Y.
Witty, Susan, New York, N.Y.
Wohl, Gary, New York, N.Y.
Wohlner, Ellis, Detroit, Mich.
Wohlner, Joan, Detroit, Mich.
Wolff, Laurence, New York, N.Y.
Wurken, C. Vander, New York, N.Y.
Wylie, Ken, Detroit, Mich.
Yager, Thomas, New York, N.Y.
Yarrow, Ruth, Ithaca, N.Y.
Young, Bradford, Madison, Wisc.
Young, Carroll U., Stanford, Calif.
Young, James G., Jr., Boston, Mass.
Young, Richard G., New York, N.Y.
Zalla, Thomas, Covington, Ky.
Zank, Richard, Milwaukee, Wisc.
Zeitz, Carol, New York, N.Y.
Zenbrano, Robert, St. Paul, Minn.
Zipf, Henry, Cambridge, Mass.
Zips, Henry, New York, N.Y.
Ziskind, Louis, New York, N.Y.

SPEECH BY THE SECRETARY OF AGRICULTURE

Mr. MORSE. Mr. President, on January 20, 1967, Secretary Freeman delivered to the Southwest Agricultural Forum in Tulsa, Okla., a most significant policy address.

In the speech, he set forth the long-range goals of the Department of Agriculture, and he warned of consequences which might follow unless steps are taken now to develop the legislative base of future agricultural prosperity.

Mr. President, I believe this is an important speech which deserves widespread attention. I ask unanimous consent that it be printed at this point in my remarks.

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

AGRICULTURE 2000

(Address by Secretary of Agriculture Orville L. Freeman at the Southwest Agricultural Forum, Tulsa Civic Assembly Center, Tulsa, Okla., January 20, 1967)

You may have noticed by the title that my talk today will go beyond the boundaries of this conference's prime concern—the decade immediately ahead. It will. But in doing so I hope to expand the dimension in a manner that enhances the importance of the next ten years—rather than diminishes it.

Man's fascination with Tomorrow is as old as man himself.

From the dawn of his imagination, he has tried to peer behind the "curtain's magic fold" to where Bret Harte said "the glowing future lies unrolled."

He has speculated about the future for profit, for amusement, out of simple curiosity . . . and sometimes for reasons bigger than himself.

And sometimes, he has, indeed, looked into Tomorrow.

Tennyson said he "dipt into the future, far as human eye could see" and "saw the Vision of the world, and all the wonder that would be."

Tennyson was a romantic. A more pragmatic poet turned his inner eye upon Tomorrow and declared that the future has never been . . . that it remains for man to make it.

The towers of Tomorrow, he said, are built upon the foundations, of Today.

We're gathered here in Tulsa to try to turn back a corner of the "curtain's magic fold" . . . to peer into the future of American agriculture . . . to determine whether the flowing prospects many foresee will, indeed, materialize . . . to decide whether we have built the foundations for the towers of Tomorrow . . . and to anticipate, if we can, the problems we may be called upon to solve.

In just 33 years we'll turn the corner into the 21st Century. What will it be like, American agriculture in the Year 2000?

No one really knows, of course. There are too many intangibles . . . too many uncertainties. But predictions are being made, and perhaps we should examine them.

As I stand here—about to tell this group what may or may not happen in their own chosen field—I'm reminded of the story of the Army sergeant who had made an excellent reputation lecturing to enlisted men on a certain subject. His captain called him in, complimented him, and said he had been chosen to lecture to a special group.

The sergeant walked into the lecture room and gazed out over the biggest collection of brass hats he had ever seen gathered in one place. Every man in the room outranked him.

Embarrassed, he tried to think of a modest beginning. "There are thousands of men in the Army who know more about this subject than I do," he began. Then, realizing he was destroying his reputation as an expert, he blurted out, "But I don't see any of them in this room!"

Well, I make no pretense of being an expert prognosticator. All I can do is tell you what some experts foresee for agriculture in the year 2000.

So, let's jump to the turn of the new century and take a look at what they predict we'll find.

Some envisage the Year 2000 as the time when the American farmer finally is freed from the arduous and time-consuming demands of planting and harvesting . . . a time when he, too, enjoys leisure for the pursuit of recreation, entertainment, advanced learning, and he and the world he inhabits can provide true parity of education and opportunity for his children.

Some see him sitting in an air-conditioned farm office . . . scanning a print-out from a computer center . . . typing out an inquiry on a keyboard which relays the question to the computer.

The computer center, which he may own in partnership with other farmers, perhaps through his cooperative, helps him to decide how many acres to plant to what crop, what kind of seeds to sow, what kind and how much fertilizer to apply, exactly what his soil condition is, and what day to harvest what crop.

The experts say the fields on this hypothetical farm will bear a surface similarity to the fields of today . . . but a surface similarity only. They see a land carefully graded and contoured to control erosion and the use of precious water. They see a soil bearing nutrients to meet the specific needs of each crop, and treated to control harmful organisms, weed and plant diseases.

They foresee virus-free plants, bred by geneticists to give higher yields in a much-shorter growing period and to mature at the same time. The stalks on these plants, they say, will lend themselves to mechanical harvesting, and new uses will be made of the parts of the plant once discarded at harvest.

The experts envision all the field work on this farm carried out by automated machinery, directed by tape-controlled programs, and supervised by television scanners mounted on towers.

They predict that weather will no longer be the incalculable threat it remains in our time, for satellites will provide long-range forecasting—providing time to prepare for, divert or dissipate damaging storms.

They say robot harvesters will complete the farming operation with high-speed picking, grading, packaging and freezing . . . and will then transport the produce to transportation depots for distribution to retail warehouses.

While many find this picture of the future exciting, others find it depressing. Some contend that automation and the computer will excise the soul from farming . . . will destroy its joy, dull its satisfactions, and chill the ageless intimacy between man and his land.

But others say No. They say the farmer of the 21st Century will be more deeply, intricately, and learnedly involved with the land than ever before. They point out that no computer can give a learned answer until it is asked a learned question . . . that no robot tractor can operate until a skilled human being programs it to operate.

And they contend that the joy and satisfaction of farming will come—as it always has—from the successful interplay between the farmer and his soil.

By the year 2000, optimistic visionaries say, this interplay will have become so successful that yields of today will be doubled or tripled . . . that corn yields, for instance, could run from 300 to 500 bushels to the acre.

Ah, yes, the critics counter, but what good automation, what good maximum efficiency, what good bigness, what good record yields . . . if the producer cannot *own* the land he works? How much joy, how much satisfaction, how much ageless intimacy with the soil can a farmer reap from land that is not his?

For how, they ask, could one farmer ever hope to own a farm that big, that automated . . . that incredibly expensive?

If there is one troublesome nettle in agriculture's garden of tomorrow, this is it. Financing the farm of the future through the methods of today would be impossible, for the farms of the Year 2000 will require investments of millions—not thousands—of dollars.

The inexorable nature of the technological revolution dictates that the farms of the future will be bigger, will be better, and will be far more costly to own and to operate.

The issue then is this: If nothing is done now to insure the creation of a dynamic, new, creatively flexible system of financing farms and farming, the farms of tomorrow will *not* be owned by the farmers who work them. If this is what we want . . . we do nothing.

If this is what we do *not* want . . . if we agree that farming is, indeed, a way of life, and not just a means to make a living . . . if we agree that it is important that the family farm system continues to make a key contribution to the strength and health of this nation . . . then we will adjust our credit systems for tomorrow.

This we have done before. This we can do again.

And now, let me turn my attention to the consumer of tomorrow. What will Agriculture/2000 mean to the housewives of America?

It will mean better foods, more nutritious foods, better tasting foods, a bigger variety of foods . . . and still at a reasonable cost, thanks to an efficiency of operation which continues to hold unit production costs to a minimum.

By the Year 2000, the consumer should be able to buy her whole milk according to whatever butterfat content she desires. She'll choose meat cuts with hardly any fat. She'll receive more protein per portion of cereal. And all of these changes will come about through the miracle of genetics . . . by breeding cows and meat animals and cereal grains to meet specific dietary and taste requirements.

And how will she shop?

Most likely, she'll go to a pushbutton supermarket. There she'll drop a coded card into a slot beside the commodity she selects and punch a button. Impulses travel two ways—to a cash register where her bill is totaled, and to a central warehouse where the order is assembled. The completed order will await the customer at her car.

I said this was a speculative sketch. In a few moments I'll point out some of the pitfalls which lie before this optimistic concept of tomorrow's agriculture. But in the meantime, bear in mind that this sketch scarcely touches the surface of the wonders of the future.

As I think of the other fantastic advances predicted for the years ahead—advances I haven't mentioned—I'm reminded of the story about the two soldiers from an inland State who one day found themselves on a transport ship going overseas.

Standing on the deck, one of them gazed out over the vast expanse of ocean and said, "That's the most water I've ever seen in all my life. I never thought there was that much water in the world."

To which the other soldier replied, "Heck, you ain't seen nothin' yet. That's just the top of it!"

And that's the way it is in agriculture. We "ain't" seen nothin' yet.

But the question is . . . are we ready for it? Have we laid those foundations of Today to build those towers of Tomorrow? If we haven't, there'll be no towers of Tomorrow, for as Marcus Aurelius observed many centuries ago, "That which comes ever after conforms to that which has gone before."

So now let's take a quick look at "what has gone before."

In the brief history of our young nation, we've seen the prestige, the influence, and the prosperity of agriculture wax and wane time and time again. Farmers built this nation. They pushed back its frontiers. They won its independence. And they created its government.

In Colonial Days, 90 percent of the working Americans were engaged in agriculture, 90 percent lived on the land, and an overwhelming percentage of the national income came from farm production.

Then came the cyclical changes in the farmer's fortune. When demand outstripped farm production, the farmer gained in income and importance. When production outstripped demand, his income and his influence declined.

In the past quarter century, the cycle has come full circle once again. Throughout World War II and the Korean conflict, farmers produced to intense demand. Their importance was acknowledged and their efforts were rewarded. But the technological advances which had enabled the farmer to meet wartime production demands were to do him in when the Korean conflict ended.

By the middle of the 1950's, the genius of the American farmer had produced the supreme irony. He had become an object of derision and the target of epithets. He was accused of feeding at the public trough, of contributing to high taxes, federal deficits, strained family budgets, and inflation. For a time flogging the farmer threatened to eclipse baseball as the nation's favorite pastime.

By 1960, overproduction had robbed the farmer not only of prestige but had cost him dearly in earnings. By the close of that year, we had a stockpile of 1.4 billion bushels of wheat and 85 million tons of feed grains, and net farm income had plummeted $2.4 billion in just eight short years. In the meantime costs were rising steadily and the cost-price squeeze tightened.

The outlook was so grim that some observers held out little hope. They foresaw political abandonment of the farmer, punitive farm legislation, continued price and income depressing surpluses, little social and economic legislative concern for his unique conditions, further loss of prestige, a decline in farm living standards and farm production and a resulting loss of natural resources as a product of human neglect.

None of these things happened.

Instead, in six event-filled years, American agriculture turned the corner from gloom to promise.

We began to look on agriculture not as an isolated problem segment of the American economy but in terms of its contribution to the whole economy. We began to view abundance not as a liability but as an opportunity. We focused attention on agriculture as a success story.

Politicians did *not* abandon the farmer. Despite the fact that his representation in the Halls of Congress has diminished in the face of population shifts and redistricting, recognition by urban Congressmen of the farmer's new importance was such that five major pieces of farm legislation were passed in the first six years of this decade. Many in this banquet hall helped to pass this legislation.

Each of these was designed to meet specific needs and solve specific problems. The record since their passage is evidence of their effectiveness.

The surpluses of the Fifties are gone—replaced by sensible reserves. By the end of November, the Commodity Credit Corporation investment in farm commodities was down to $4.55 billion, a reduction of $1.9 billion from the previous year, and about $4 billion less than the peak investment years of 1956 and 1959.

Government is reverting to the role of referee in the marketplace—an insurer of equity instead of a participant—and, except for a brief period during the Forties, the market is freer today than it has been for 30 years.

In place of the "little concern" predicted in 1960 for rural America, social and economic measures have been enacted since that time which concentrate on the countryside's special problems and special needs. I speak now of the struggle to build a viable, balanced economy in rural America, of which farming per se is an integral part.

Rural development programs, better community facilities, new homes, improved schools, medical services, expanded electric and telephone service, water and sewer installations, and a resulting variety of new off-farm jobs are helping to bring to an ever-increasing number of rural nonfarm and small farm Americans parity of opportunity.

Let me digress here for a moment. Gradually this nation has come to realize that one of our greatest assets in an increasingly crowded world is space. We are coming to understand that we can make *another* place in the countryside for those who, for one reason or another, cannot find a rewarding place in commercial agriculture. We don't *have* to dump these people into our already-crowded, problem-beset cities.

More than that . . . perhaps we can help relieve the strain on our cities. There are many frustrated urban dwellers who are eager to return to a new countyside—a countryside with opportunity.

Space, fresh air, sun, sky, and water can be "packaged and sold" . . . sold to the industries that can bring jobs to rural America . . . sold to city people who seek outdoor recreation—a chance to get back to Nature—and are willing to pay for it.

So . . . as we look ahead to the Year 2000, we can see a new kind of America—an America where the giant arms of industry extend into the countryside, there to profit by adequate space, adequate power, water and communications, adequate and eager manpower; an America where more and more Americans can live happier, healthier lives where they *want* to live—*in Countryside, U.S.A.*

And now let me turn once again to those gloomy predictions made back in 1960, the predictions that luckily went awry.

Farm living standards were supposed to decline. They did not. They improved because farm income increased . . . and farm income increased because surpluses diminished, the number of consumers grew, the amount of consumer income climbed, farm exports skyrocketed, and Government price support and incentive payment programs moved ahead with the times.

From the 1960 level of $11.7 billion, net farm income jumped to more than $16.1 billion in 1966 . . . the second highest mark in history . . . and gross farm income at $49.2 billion and net income per farm at $4,900 set all-time records.

Of even greater significance was the accelerated graduation into "adequate size" class by family farms in recent years. One measure of "adequate size" is gross sales of $10,000 a year or more. Since 1959, nearly 200,000 farm families have moved into that class. Studies indicate that at that level they are gaining on city workers and approaching parity of income.

But let me make it emphatically clear at this point that, despite steady progress the last six years, the farmer's income *still lags far behind that of other Americans.*

On a per capita basis, the farmer's income is $1,700. Other Americans earn $2,610 on an average per capita basis.

Farm prices, though up last year, have been down the last few months, and today are *less* than they averaged between 1947 and 1949. At the same time, food costs are 35 percent *higher.*

This the farmer bitterly resents—and properly so.

This discrepancy *must be corrected.* It must be corrected because it is unfair to the farmer and therefore wrong. It must be corrected because if farmers don't get a fair return commensurate with the other segments of society, we will lose our best farmers. If that happens the entire nation, not just the farmer, will be hurt.

And now let's look at the final gloomy prediction made in 1960—that farm mechanization and production efficiency would stage a ruinous retreat in the face of continued economic decline and political rebuff.

Once again the prediction was wrong.

From 1960 to 1965, investment in farm machinery *increased* by more than $5 billion.

In the past ten years, farm production per man-hour has doubled. Today, a third fewer people on farms, harvesting one-ninth fewer acres, produce one-fifth more than a decade ago. The average farm worker now supplies food and fiber for 37 persons, 22 more than he could less than a generation ago. In comparison, a farm worker in Russia feeds only seven, and a farm worker in France only fourteen.

In four and a half decades, U.S. productivity per acre has increased 82 percent and output per breeding animal has almost doubled. One hour's farm labor now produces five times more than it did in 1921.

The productive capacity of the American farm has provided this nation's consumers with the best diet in the world . . . at the lowest cost in terms of percentage of take-home pay—the only realistic measure.

Moreover, the exploding technological revolution in American agriculture has been of vital importance to the poorer nations of the world, for the resulting abundance has often meant the difference between life and death for millions of people overseas. Last year, our country shipped a fifth of its total wheat production to India, alone, and exported two-fifths more to other nations. Yet American consumers suffered no shortage of bread.

I hope this remarkable record of accomplishment in the Sixties is convincing enough proof that American agriculture has, indeed, built its foundations of Today for the towers of Tomorrow.

In this year of 1967, we are embarked on a New Era in Agriculture . . . and we've set sail in a sound ship.

But there are reefs and shoals ahead.

Earlier, I said that historically the fortunes of agriculture in America have been tied to the production-demand ratio. When demand moved ahead of production, farmers prospered for prices were strong. When production moved ahead of demand, the reverse was true.

In recent years, government has used a number of management tools and programs to slow agricultural output expansion, move toward fair income for producers, and make better use of our abundance.

First, the rate of output expansion has been held down by a system of largely voluntary government programs, which strengthened the market and also helped farmer income by means of commodity price supports and direct payments.

Second, our Government joined with private groups to develop new and expanded commercial markets—bringing successive new records in dollar exports in seven of the past eight years.

Third, we have carried on one of history's great humanitarian efforts under Food for Peace—a continuous stream of life-saving food and fiber that since 1955 has averaged about $1.5 billion a year. In addition, in the last six fiscal years we have distributed commodities valued at $2,439,000,000 to needy families, schools, and institutions in the United States. In the same period, our cash donations to the school lunch and special milk programs totaled $1,253,000,000, and Food Stamps given to needy American families were valued at $158,000,000.

Fourth, commodities produced beyond the limits of what the commercial market could absorb at support price levels—and beyond Food for Peace needs—moved into government-held stocks.

In the past six years, these stocks have declined. In fact, the combination of efforts I have just listed—bolstered by new legislation and the support of the farm and business communities—has brought an end to the mountainous surpluses of the Fifties. Prices have been strengthened, and farm income has been sharply boosted.

I only wish I could tell you that all our problems are solved—that the balance in agriculture we are enjoying for the first time in half a century will continue—and that future farm production will keep steady pace with demand.

I can't do that. We must all accept the fact—here and now—that the technological revolution in agriculture is really just beginning . . . and that the production potential it promises for tomorrow staggers today's imagination.

Bear in mind that in 1966—with relative supply-demand balance in the marketplace—your government in effect "bought" about 60 million acres out of production. Even with large increases in plantings to meet world demand and build reserves of wheat and feed grains to safer levels, our programs will continue to help farmers hold 30 to 35 million acres out of production in 1967.

If all that acreage, plus the steadily accelerating production per acre, were turned loose . . . the result would be chaos.

If we ignore the lessons of history, and let supply outrace demand again, we could plunge ourselves right back into the predicament of 1960, a predicament it has taken us six years to overcome.

We can only avoid this predicament by the disciplined use of judgment, reason and vision, for we know that adjusting farm output expansion to effective demand in the years immediately ahead will be infinitely more difficult than it has ever been before.

Yet adjust it we must.

This we can do in the New Era of American Agriculture. For by trial and error, and in the traditional pragmatic American way, we have developed the necessary tools. With cooperation among producers, the trade, agribusiness and government—we can hold a workable balance between supply and demand, maintain economic strength in agriculture, and encourage continued scientific and technological breakthroughs . . . and do it with accelerating efficiency.

For many years now, I have been talking about a National Food Budget. This implies a careful advance determination of what demand will be—how much must be provided for commercial use at home and abroad, and how much must be produced for needy, hungry people at home and overseas.

With the inducements of voluntary programs, our farmers can then set the stage to

produce it. Thus they will produce for use . . . real use . . . and not for storage.

Farmers will be able to move acreage in and out of production as it is needed . . . and the market will return fair parity income to the family farm of adequate size.

Admittedly, we can't be precise about this. Weather variations, for example, can make an enormous difference in production. With 70 million acres growing feed grains, a 10-bushel-per-acre variation means 700,000,000 bushels difference in available feed grains. Nevertheless, we can make allowance for such variations, and the free market and the farmers' holding power can carry most of our reserve.

The next few years are both crucial . . . and promising. I say crucial because it is so important that the farmer and his government use the new farm programs wisely and efficiently. If they do—and get good results—then Congress undoubtedly will improve and extend these programs in 1969. I say promising, because the population and income explosions taking place around the world almost certainly will continue to stimulate a strong demand for food.

Prices, then, should be good . . . and income should grow for both the farmer and for the agribusiness which serves him and the consumer.

In such fashion—and with the balance that comes from mature judgment based on experience—we can look forward to a future of abundance for America . . . and prosperity for the farmer and for those who fashion and move his produce to the tables of the world.

I conclude, then, on a note of positive optimism.

I envision the income of farm operators as commensurate with their contribution to American society—income fully comparable with that earned by other business owners, executives, and managers.

I envision a vast flow of the products of American farms to Africa and Latin America, as well as to Europe and Asia—sales for dollars through regular commercial channels.

I envision the continued contribution of American food aid, technical and capital assistance to the developing nations of the world until that time when they are able to sustain themselves.

I envision an American countryside rich in beauty—with the doors wide open to economic opportunity—a countryside which once again will exemplify the good life.

Agriculture's journey to the Year 2000 can be a useful . . . and a pleasant one. I think it will.

ALLEGHENY AIRLINES ACHIEVES NOTABLE RECORD DURING 18 YEARS OF CARRYING PASSENGERS

Mr. RANDOLPH. Mr. President, at 7 a.m. on Monday, March 7, 1949, a twin-engine DC–3 bearing the insignia of All American Airlines pulled away from a gate at Washington National Airport; thus opening the first page on a major chapter in the log of American commercial aviation.

It was the first passenger flight of what is today Allegheny Airlines and marked the transition of this progressive carrier from airmail pickup and delivery, begun in 1939, to its first tentative step into the rapidly emerging field of transporting people by air.

Allegheny carried about 35 passengers that first day and only 809 during the month of March 1949.

On March 1, 1967, Allegheny boarded 6,758 passengers—or more than eight times the number carried during the entire month of March 1949.

Allegheny's bold step into passenger service was made with a fleet of 10 Douglas DC–3 piston engine aircraft.

Today, the airline's fleet consists of one DC–9 fanjet, 17 Convair 580 jet props, 10 F–27J jet props, and seven Convair 440 piston engine aircraft. An additional seven Convair 440's are in various stages of conversion to jet-powered configuration and by mid-1967 the airline will be 100 percent jet powered.

Plans call for the fleet to consist at yearend of six Douglas DC–9 series 30 fanjets, a 100-passenger extended version of the present 75 passenger model, 33 Convair 580, and 10 F–27J.

An additional six DC–9 series 30 jets are slated for delivery during 1968 and options are held on six more.

Allegheny's initial passenger routes served 45 cities in seven States, while today's system brings modern jet-prop planes and jet-powered air service to more than 60 cities in 13 States, including West Virginia, and the District of Columbia.

During its first month of operation, Allegheny flew 39,817 scheduled revenue miles over its 579-mile system. For comparison purposes, the February 1967, scheduled revenue-mile total was 1,494,970, flown over a system including slightly more than 2,000 unduplicated route miles.

These comparative statistics highlight how Allegheny Airlines has emerged as a leader in the regional airline industry and is providing the excellent service to many small and intermediate size cities that would otherwise very likely be without scheduled airline service.

Allegheny further solidified its position of leadership during 1966 by becoming one of the first two regional airlines to top 2 million passenger boardings in a single year, and led the industry in boardings of airmail, freight, and express.

THE DECLINE IN WHEAT PRICES

Mr. MONTOYA. Mr. President, numerous comments and statements have been made and editorials have been written in recent weeks concerning the decline in wheat prices. As usual, attempts are made to find a whipping boy.

And, as usual, the most convenient target is the administration, Secretary Freeman, and the Department of Agriculture.

The latest and most erroneous explanation for the decline of wheat prices and the speculative fluctuation of the wheat market is that the Department of Agriculture seriously miscalculated in forecasting in the 1966 world wheat crop last summer.

It is charged that the Department underestimated world production of wheat and that when the total production figures were finally announced in January, this had a depressing effect on the market.

Nothing could be further from the truth.

This morning I checked with Secretary Freeman's office and I have been furnished with a copy of an official USDA release dated July 18, 1966, which states:

On the basis of present indications, a record world wheat crop is in the making . . . The prospective world crop is forecast at 9.4 billion bushels, compared with a near record in 1965 of 9 billion bushels and the previous record in 1964 of 9.3 billion bushels.

Mr. President, in the interest of accuracy and truth, I ask unanimous consent that the entire release be printed in the RECORD.

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

[From the U.S. Department of Agriculture, Washington, July 18, 1966]

PROSPECTS SEEN FOR RECORD WORLD WHEAT CROP

On the basis of present indications, a record world wheat crop is in the making, the U.S. Department of Agriculture reported today.

The prospective world crop is forecast at 9.4 billion bushels, compared with a near record in 1965 of 9 billion bushels and the previous record in 1964 of 9.3 billion bushels.

In making the report, the Department emphasized that its appraisal covers prospects not only in countries where harvest already has begun, but also in Southern Hemisphere areas where planting is just being completed.

Prospects for record production in Canada overshadow the recent forecast of a U.S. wheat crop only slightly above average, the Department said.

Australia has seeded more than 20 million acres to wheat—2 million above the previous record.

Argentina's wheat acreage is estimated at over 16 million acres—20 percent above a year ago and the largest since 1950.

The wheat outlook in the Soviet Union has been described as "good." Production is expected to be substantially above the 1965 crop of 1.7 billion bushels, and could well approach the 1964 total of 2.1 billion.

Communist China is an exception to the generally favorable wheat situation in major producing areas. Production this year will be even smaller than last year's poor crop. The drought that began in the winter of 1964–65 still persists in the northern part of the winter wheat belt.

Reports indicate that Canada's crop could well total 750 million bushels—some 25 million above the previous record set in 1963. Canadian farmers seeded a record 30 million acres. The crop, now heading, has made favorable progress throughout wide areas of the Prairie Provinces as a result of warm weather and adequate moisture.

Australia's wheat acreage is at a record or near-record level in all states, with most of the increase in New South Wales and Western Australia. Crops are off to a good start, but in areas affected by drought last year adequate followup rains will be needed to assure satisfactory yields.

The Argentine Government encouraged growers to seed a large acreage this year because of short carryover supplies. Timely rains have improved prospects.

The Soviet Union, despite the fact that it is buying about 150 million bushels of wheat this year, mainly from Canada, is expected to harvest a crop in excess of 2 billion bushels. Production in the relatively small winter wheat area was good. Weather data, observers' reports, and press dispatches indicate that prospects also are favorable for the 120 million acres seeded to spring wheat.

Western Europe's harvest may approach the record outturn of 1965. France's wheat acreage was down 11 percent but weather has favored high yields. West Germany's crop will be good.

Prospects in Eastern Europe outside the Soviet Union also are good.

Turkey is expected to harvest a record crop this year, and production will be large in Iran. Gains in these countries will more than offset reduced output in some other Eastern Mediterranean and North African countries.

India's wheat crop, harvested early this year, was good. (The shortfall in India's food grain production was mainly in other crops, such as rice, sorghums, and millets.) Pakistan's wheat harvest was a good average crop. Japan's crop will be below normal, due both to reduced acreage and yields.

Mr. MONTOYA. In addition, Mr. President, in October 1966, the Foreign Agriculture Circular, an official publication of the Department of Agriculture, reaffirmed its previous forecast of another record world wheat crop.

These forecasts were made available to all the press and the grain trade and wheat producers had access to this information.

As it turned out, the Department's forecasts in July were remarkably accurate and there is absolutely no basis for anyone to imply that the decline of wheat prices was caused by inaccurate forecasts.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

LEGISLATIVE REORGANIZATION ACT OF 1967

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

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

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

The PRESIDING OFFICER. Without objection, the Senate will resume the consideration of the bill.

Mr. MONRONEY. Mr. President, I observe the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The pending business is the amendment of the Senator from Nebraska.

Mr. MONRONEY. Mr. President, I yield such time as he may require to the distinguished senior Senator from Ohio, the time not to be charged to either side.

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

WE SHOULD SCRAP PRESENT SELECTIVE SERVICE SYSTEM

Mr. YOUNG of Ohio. Mr. President, the time has clearly come to correct the inequities and remove the uncertainties created by our present draft laws. President Johnson has proposed that 19-year-olds be drafted first under a national lottery plan; this reform and others in our Selective Service System should be implemented as soon as possible.

When the present Selective Service Act was passed in 1948, it was assumed that the obligations of military service would be borne equally by all young Americans. However, as the President clearly pointed out in his message to the Congress, the selective service system has drifted from its original concept of equality. Apparently too many professional athletes secured deferment as did too many who were exempted to attend college or because they had married.

For example, deferments too frequently favor those who can afford to attend college and those whose educations qualify them to enter critical occupations, so-called. The plain fact of the matter is that today young men with financial resources or with parents with financial resources are in a better position to secure deferment from the draft by going to college or by marrying young and having children.

Furthermore, the present system of assigning draft quotas to each State which in turn assigns quotas to local draft boards is inequitable. This results in thousands of different criteria for deferment. For instance, a local draft board in Ohio may decide to induct a young man who, if he lived in another State—or for that matter in another jurisdiction in Ohio—would be deferred. Since available pools of eligible draftees differ from one draft board jurisdiction to another, consideration given to the problems of individual potential draftees varies from one draft board to the next.

Although there are broad national outlines establishing deferment criteria under present law, the interpretation of these criteria and the pressures for meeting draft quotas vary considerably. At present too much discretion is given to members of local selective service boards.

President Johnson's proposal to reverse the order of induction, to start at the bottom of the age scale or close to it, instead of the top, makes sense. For those eligible to be drafted, the decision, one way or another, will come earlier and therefore will be less disruptive to their family lives and careers. Many of the problems raised by deferments claimed for married men and those with dependents will be avoided.

All Americans fervently hope that the peacetime draft can eventually be done away with and military needs met by trained volunteers. However, as President Johnson pointed out, we cannot realistically expect to meet our present commitments or our future requirements with a military force relying exclusively on volunteers. Therefore, during our involvement in the conflict in Vietnam it is of utmost importance that the selective service laws operate fairly. As they are now constituted, they no more meet our military requirements in this grim war period than would horse cavalry, B–25's of World War II, or Krag Jorgenson rifles used at the turn of the century.

Mr. President, some Members of the Congress disagree with the President's plans and have indicated that they will do their utmost to thwart his efforts to bring our antiquated draft laws up to date. I am hopeful that these Congressmen—in particular the chairman of the House Armed Services Committee—will not be allowed to cripple the President's freedom to improve the selective service system. It is perhaps noteworthy that many of those most violently opposed to President Johnson's attempt to reform our selective service laws are also those who urge escalation and expansion of the war in Vietnam and bombing more targets in north Vietnam. In fact most if not all of them favor unrestricted warfare against North Vietnam and even bombing airfields in Red China. They seem eager to send more young American boys to fight a war in a land 10,000 miles from our shores which is of no strategic importance to the defense of our Nation. They have urged sending more warplanes and risking the precious lives of more of our pilots in bombing targets in or near Hanoi and Haiphong. However it appears that they are now unwilling that this burden be borne fairly and equally by all young Americans, regardless of race or family resources.

Mr. President, in this grim period of international anarchy, the Nation requires that young men must serve. However, in this land of equals, men must be selected as equals to serve. We must have the fairest system that can be devised for making that selection. There is no one pat answer. I believe that the suggested changes set forth by the President yesterday will go far toward establishing a fairer, more logical, and more equitable method for inducting young men into our Armed Forces.

LEGISLATIVE REORGANIZATION ACT OF 1967

The Senate resumed the consideration of the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

Mr. MONRONEY. Mr. President, I yield such time as he may require to the distinguished President pro tempore of the Senate, the senior Senator from Arizona [Mr. HAYDEN].

The PRESIDING OFFICER. Is there objection to temporarily setting aside the pending amendment to consider the amendments of the distinguished senior Senator from Arizona?

The Chair hears none, and it is so ordered.

Mr. HAYDEN. Mr. President, I send to the desk two technical amendments relating to sections 102 and 103 of the bill, S. 355, and I ask for their immediate consideration.

I have been advised by the manager of the bill that it is the intent of the Special Committee on the Organization of the Congress that these sections not apply to the Committee on Appropriations. These two technical amendments will assure what is the intent of the committee. I have cleared these amendments with the manager of the bill, the chairman of the special committee, Mr.

MONRONEY, and I ask that they be agreed to.

The PRESIDING OFFICER. The amendments will be stated.

The assistant legislative clerk read as follows:

On page 11, after line 24, insert the following:

"(i) The foregoing provisions of this section do not apply to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives."

On page 14, after line 3, insert the following:

"(f) The foregoing provisions of this section do not apply to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives."

Mr. MONRONEY. Mr. President, I yield myself such time as I may require.

For the past 20 years the Congress has operated under the provision of section 133(a) of the original act which provides that the provisions applying to standing committees of the House and Senate specifically exempt the Committees on Appropriations.

I read from section 133(a) of that act:

Each standing committee of the Senate and the House of Representatives (except the Committees on Appropriations) shall fix regular weekly, biweekly, or monthly meeting days for the transaction of business before the committee, and additional meetings may be called by the chairman as he may deem necessary.

The bill then in subsections (b), (c), (d), (e), and (f) of that section details what each such committee shall do.

We have repeatedly discussed this in the debate on the pending bill. In fact, amendments have been offered by other committee chairmen to give them the same exemptions that the Appropriation Committee has enjoyed from the blanket committee procedures provided in the act of 1946 and also in the pending bill. In addition, the pending bill provides proposed rules and regulations and requirements for the Committee on Appropriations.

It is crystal clear throughout the entire proceedings of the past 20 years and from the act of 1946 that the Senate and House Committees on Appropriations were exempt from these restrictions.

The language that the distinguished chairman of the Committee on Appropriations has offered will restate that so that there can be no question concerning this practice.

The committee agrees to accept the amendments.

Mr. President, I yield back the remainder of my time.

Mr. HAYDEN. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendments of the Senator from Arizona.

The amendments were agreed to.

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from Nebraska [Mr. HRUSKA].

Mr. HRUSKA. Mr. President, I yield myself 15 minutes.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 15 minutes.

Mr. HRUSKA. Mr. President, technically the pending amendment has for its purpose the deletion of title V of S. 355.

In reality and effect, it calls for deferring action on amending the Federal Regulations of Lobbying Act of 1946 until a more thorough and complete plan of revision of that act can be placed before the Congress.

Such a revision is in process of preparation by the Department of Justice. This is being done pursuant to the President's recommendation—in his state of the Union message—for tightening our laws regulating lobbying.

That revision will be wider in scope than the amendments contained in title V. The transmittal to Congress of the recommendations will occur at an early date. I have been informed to that effect by the newly confirmed Attorney General.

The Senate should await the arrival of the President's recommendations.

It should not take action on title V at this time.

POWER AND DUTY OF CONGRESS TO REGULATE LOBBYING ACTIVITIES

The power and the duty of Congress to legislate regulation of lobbying activities is not doubted. Assurance of proper conduct in lobbying activities is imperative to maintain the integrity of the basic governmental process, to wit, legislating. It is necessary in order to warrant continued public confidence in the legislative branch of the Government.

The 1946 enacted Federal Regulation of Lobbying Act was an effort to legislate in this field. It did not seek to prohibit lobbying. But it did seek a "modicum of information" from those who for hire attempt to influence legislation or who collect or spend funds for that purpose. It sought to bring to Congress information as to who is being hired; who is putting up the money; and how much.

Such legislation is desirable and legitimate in principle. However, it does have its limitations of two general characteristics: first, constitutional, so that none of the guarantees in our organic law will be violated in the provisions of that law. Secondly, inasmuch as it is made into a criminal statute with penalties of fines and imprisonment, the requirements and requisites of criminal statutes should be abided by.

THE 1946 ACT NEEDS COMPLETE REVISION

The 1964 act has not been effective or workable. The history of its litigation and of its enforcement or lack of any effective enforcement clearly shows this.

No conviction has ever been secured under it in a contested case in the 20 years of its history.

As I remember the figures, some four prosecutions were had under the act and there was only one conviction. That was as a result of a plea of guilty.

Large parts of it have been held unconstitutional. In fact, the bulk of the ground sought to be covered by the act as originally written by Congress has been nullified by the Supreme Court. Parts have been held constitutional, but only after deletion by the Supreme Court of much language—and adding other language. These facts clearly stand out in the language of the Harriss case and in the actual holding of the court therein.

TITLE V AMENDMENTS WERE NOT SUITABLY PROCESSED

Congress is deeply indebted and highly grateful to the Special Committee on Organization of the Congress for its monumental labors in formulating the pending bill of S. 355.

It delved into a subject long in need of treatment. It studied a long list and large variety of perplexing, vexatious problems relating to the national legislative process. They have been patient and conscientious in their labors. For all this they are to be commended.

That committee was sensitive to and aware of the inadequacies of the present statute regulating lobbying. It courageously undertook to propose amendments which it believed would improve the present law. They are contained in title V of the pending bill.

This Senator respectfully suggests, however, that the title V amendments will not achieve the desirable and declared goal of making the law workable, effective, and enforceable. The amendments do not sufficiently restructure and revise the present law to overcome the proven failure and breakdown as a meaningful statute of regulation with criminal penalties attached.

A number of understandable reasons account for this inadequate result.

No hearings were held nor any testimony taken on title V provisions.

There was no testimony taken on title V provisions, with the exception of some testimony given prior to their formulation by a gentleman from the Congressional Quarterly. With that exception, so far as I know, no hearings were held on these title V amendments.

The Department of Justice was not asked for its opinion or recommendations. If there have been any communications, they certainly do not appear in the RECORD, and the Senate has not been informed in that regard.

The Comptroller General was not called upon for his analysis and suggestions. Title V seeks to confer upon him the duty of administering the act and to vest in him certain duties and powers.

Neither the bar generally nor any of its associations was given an opportunity to be heard on the wisdom, merit, or soundness of the proposed amendments after they were formulated. It is true that they had time to appear. But not knowing what specific amendments were to be proposed, the bar would certainly be warranted in thinking that nothing would be done on this matter, particularly in view of the message from the President in his state of the Union message.

At this point, I ask unanimous consent to insert in the RECORD a resolution of the Bar Association of the District of Columbia, which bears the date of February 3, 1967, on this score.

There being no objection, the resolu-

tion was ordered to be printed in the RECORD, as follows:

RESOLUTION OF THE BAR ASSOCIATION OF THE DISTRICT OF COLUMBIA WITH RESPECT TO TITLE V, S. 355, 90TH CONGRESS

BACKGROUND

It has come to the attention of the Bar Association of the District of Columbia that the proposed Legislative Reorganization Act of 1967, S. 355, contains, in Title V, a series of amendments to the Federal Regulation of Lobbying Act. The bulk of the provisions of S. 355 relate solely to the internal organization and operation of the Congress, its members, committees and staffs; Title V, however, would, if enacted, have a far reaching impact on members of the public who seek to exercise their Constitutional right of petition to Congress.

While the Bar Association recognizes the need for some modification of the Regulation of Lobbying Act, it is seriously concerned that the amendments proposed in S. 355 require further study and revision, and the evolution of additional legislative history in order to protect the public. The Bar Association wishes to take an active and immediate part in the necessary work.

Among other matters, the Title V amendments would broaden the scope and application of the Act by changing the word "principal" to "substantial", a change which would inject a whole new set of ambiguities into the statute, ambiguities which should be minimized in the statute itself and which also require the development of an adequate and comprehensive legislative history to aid in construction.

In addition, Title V would commit the administration of the Regulation of Lobbying Act to the Comptroller General, who, as an agent of the Congress, would be authorized to promulgate regulations under the Act having the force and effect of criminal statutes, without providing the members of the public with the protection afforded by the Administrative Procedure Act in the rule-making process in the Executive Branch.

Now therefore:

The Bar Association of the District of Columbia, through its Board of Directors, hereby resolves,

(1) That the Administrative Law Section of the Association, through its appropriate subcommittee, is hereby authorized and requested to convey at once, to the appropriate individual members of the Congress, to the appropriate staffs and committees of Congress, and to the Department of Justice and other officials, the concern of the Association with respect to the matters set forth above, and is further authorized and requested to confer and work with such officials in an effort to develop proposed statutory revisions and an adequate legislative history through hearings and otherwise in order to avoid the aforementioned problems inherent in the present Title V of S. 355, and

(2) The Administrative Law Section, through the appropriate subcommittee, is requested forthwith to develop, and within sixty days to propose, for consideration by the Bar Association, such revisions in the Regulation of Lobbying Act as such Section may, on the basis of the work accomplished pursuant to paragraph (1) above, deem to be necessary and appropriate to accomplish the basic purposes of the Act, while avoiding the aforesaid problems inherent in the present Title V of S. 355.

Approved by the Board of Directors this third day of February, 1967.

By RAYMOND F. GARRATY,
Executive Secretary.

Mr. HRUSKA. It is legitimate that they should be heard from. Some of these attorneys will be engaged in activities that may be construed as lobbying, and therefore will call for one type of registration or another. Some of these attorneys are called upon to advise clients, some of whom are attorneys from other jurisdictions, some of whom are lay people or professional people, desiring to come to Washington in regard to the business of Congress. So they have a legitimate interest.

The failure to invite and consider consultation with interested Government departments and agencies, and with qualified nongovernmental witnesses, is regrettable. It is an invariable practice in congressional committee procedure to request comment from departments and agencies affected by proposed legislation of this nature and impact. It is always prudent to get outside witnesses qualified in the field. Reservation is always made by the committee as to its judgment on any evidence adduced or testimony given. But such hearings are frequently productive of usable and solid guidance when and if suitably adapted to the task at hand.

It should be noted that the Department of Justice did prosecute one case completely through the Supreme Court. It had other experience with the act. Yet, neither any representative of the department nor any member of the bar who participated in any of that litigation was called upon to testify.

Further, members of the bar who were active in the Harriss case are still in practice and available for expression of their views. So are other members of the bar.

But none of these were called to testify. The result is committee recommendation of amendments which were not processed with sufficient thoroughness and discernment to be of great effectiveness or value.

TITLE V AMENDMENTS ARE INADEQUATE

Those amendments are a patchwork of an Act which has a dismal judicial and enforcement history. They approach the task piecemeal and in fragmentary fashion.

First. The amendments do not come to grips with the basic difficulty with the present Federal Regulation of Lobbying Act. This difficulty has always been lack of definition as to what is meant by the language "to influence directly or indirectly the passage or defeat by the Congress of the United States." Until Congress can describe more precisely what is meant by it, anyone seeking to comply with the Act will have an almost insurmountable problem, even with the best will in the world, in knowing what, if anything, must be reported in order to avoid the potential criminal penalties prescribed. The Supreme Court had great difficulty with this point. It resorted to actually adding and subtracting certain words to produce the result it desired. This tortured construction is not clarified, or even mentioned, in title V. It should be.

Second. The Supreme Court also had great difficulty with the word "principal" and "principally" in the language of section 307 which makes the act applicable to any person who directly or indirectly, solicits, collects, or receives money or any other thing of value to be used principally, to aid, or the principal purpose of which person is to aid in the accomplishment of any of the following purposes."

Here, too, it indulged in semantic gymnastics, with a frolic into the field of legislative history and intent, in order to arrive at what the Court held to be its understanding of what Congress meant to say and provide. It even expanded the phrase "the principal purpose," so that it now—under the opinion—refers to any contribution which "in substantial part" is used to influence legislation. Perhaps the addition of language at this point was to compensate for words deleted elsewhere.

When title V substitutes "substantial" and "substantially," respectively, for "principal" and "principally," is any good accomplished? Or does it additionally confuse the situation in view of some of the other language changes wrought by the opinion? On this score, Congress should not speculate and conjecture in the limits of its own concepts and understanding. We should seek and consider the guidance and assistance of those skilled in the art. This element has been denied Congress in the present state of proceedings.

Change of "principal" to "substantial" in the amendments of title V simply compounds vagueness. The new word is one of the most meaningless words which can be used in legislation. In recent consideration of legislation, the Attorney General testified that "substantial" meant anything more than minimal. There are Court cases holding that one-forty-eighth or about 2 percent are a substantial part of the expenditures of an organization.

This is another factor making title V amendments inadequate and the objectionable is this:

Title V vests administration of the act in the Comptroller General. I am aware that the committee and its staff had every good faith in doing that. The Comptroller General is an arm of Congress. He is not included in the organization of Congress itself, but is removed therefrom by a statute, the terms of which give him the capacity for objectivity. But this amendment confers on the Comptroller General the power to promulgate regulations which could have the force and effect of criminal statutes, the violation of any of which would be punishable upon conviction by a fine not exceeding $5,000, or imprisonment for not more than 12 months, or both. The regulations would also be in a field heavily fraught with serious and substantial constitutional implications.

One of the most fundamental rules that Congress has been following for a long time has been that it is a dangerous and highly undesirable practice to allow any agency or department of Government outside of Congress to prescribe regulations which would subject individuals to conviction by fine or by imprisonment if they were violated.

That principle has been violated here. Not only has that principle been violated, but note also that the Comptroller General was not included under the Administrative Procedure Act. One section of that act has to do with rulemaking. It provides that the public is entitled to participate in the process of rulemaking. In this instance, because the Comptroller General is outside the Administrative

Procedure Act he would not be required to invite the public to participate in rulemaking. Second, the Administrative Procedure Act deals with review by the courts. It is important that these points be considered and that Congress consider them.

Mr. MONRONEY. Mr. President, will the Senator yield on that point?

Mr. HRUSKA. I yield.

Mr. MONRONEY. The act as written does not make the Comptroller General an enforcer. It makes him an administrator of the act. Any criminal prosecution made under the act would have to be taken through the Department of Justice, which would receive its report from the Comptroller General. I wish to make that point for the legislative history.

Mr. HRUSKA. The Senator is correct.

Mr. MONRONEY. It is important to this discussion.

Mr. HRUSKA. Yet the Comptroller General is going to formulate the rules and regulations. There would be no appeal from them to the courts under the Administrative Procedures Act.

Mr. MONRONEY. The Senator misses the point. Only when the Department of Justice finds a complaint made by the Comptroller General, who is the administrator of the act, to be meritorious, can any prosecution take place.

Mr. HRUSKA. The Senator is correct.

Mr. MONRONEY. Therefore, it is the Department of Justice that is the enforcer of the provisions, and it is, of course, subject to all possible restraints of law that obtain in the enforcement of any law. In other words, the Comptroller General is acting as agent for the Congress, reporting to the Department of Justice.

Mr. HRUSKA. The Senator is correct.

Mr. MONRONEY. He cannot bring charges. He must depend on the Department of Justice to take any action brought.

Mr. HRUSKA. The Senator from Nebraska gets the point clearly and completely. The point of the Senator from Oklahoma has to do with enforcement of the regulation. The point I make relates to the formulation of the regulation. There the Comptroller General is not subject to the Administrative Procedure Act.

The bill last year did not have the words describing the Comptroller General as an agent of Congress. That language expressly takes him out of the Administrative Procedure Act. I have been informed, and I believe that qualifying language removing him from the Administrative Procedure Act was not in the bill as originally reported.

We should determine what the Attorney General thinks, what the bar associations think, and what Congress thinks about this.

This phase deserves a hard look and serious study with a view of improvement.

Constitutional implications and difficulties pervade this subject deeply and substantially.

To be sure, the Supreme Court upheld the Lobbying Act as constitutional. But this was done at a terrific price. Some language of the act was deleted and other language inserted. The Court struck out entirely as not covered by the act several types of "lobbying" which are expressly contained in the act. It struck out only a part of activities in other types of "lobbying" as under the act.

The end result was very disappointing. First of all, in the language of Justice Jackson, who dissented:

> The clearest feature of the Court's decision is that it leaves the country under an Act which is not much like any Act passed by Congress.

Mr. President, that is about the size of it. Serious questions, constitutional in nature, enter into this matter. There is no question about that.

The first amendment guarantees freedom of speech and freedom of press. Their ramifications pervade the act. The Harriss case gives us little guidance on this point. One of the conclusions reached by Justice Jackson was:

> I think we should point out the defects and limitations which condemn this Act so clearly that the court cannot sustain it as written, and leave its rewriting to Congress. After all, it is Congress that should know from experience both the good in the right of petition and the evils of professional lobbying.

Second, the act was in reality rendered ineffective and unenforceable. It was shorn of much intended coverage.

In its 20 years of existence not a single conviction was obtained under it in a contested case.

In spite of all these factors, the committee report on title V is all but silent on constitutional considerations.

The only reference which it does make to constitutionality is an erroneous one. In seeking to justify its repeal of section 310(b) of the present act, the report declares that this subsection "has already been nullified by a Supreme Court decision which found it unconstitutional; and thus its repeal is technical only."

The fact is that in the only case the Supreme Court spoke upon the point was the Harriss case. It did so in these words at page 647 of the opinion:

> This section, the appellees argue is a patent violation of the First Amendment guarantees of freedom of speech and the right to petition the government.
>
> We find it unnecessary to pass on this contention.

And the Court did not pass on it.

The Senate would do well to pay heed to the admonition of Justice Jackson:

> However, to reach the real evils of lobbying without cutting into the constitutional right of petition is a difficult and delicate task for which the Court's action today gives little guidance. I am in doubt whether the Act as construed does not permit applications which would abridge the right of petition, for which clear, safe and workable channels must be maintained. I think we should point out the defects and limitations which condemn this Act so clearly that the Court cannot sustain it as written, and leave its rewriting to Congress. After all, it is Congress that should know from experience both the good in the right of petition and the evils of professional lobbying.

The Harriss case gave little guidance. It could not sustain the act as written. It proceeded to rewrite it, disregarding vast portions of the original text; and almost totally rejecting the Government's theories and concept of construction and interpretation of the law.

Now comes title V—It seeks to impose upon the wreckage of the Lobbying Act some changes which do not reach the core of the problem but which do add to the confusion and ambiguities, instead of reducing them.

In view of all this, the Senate would act responsibly and wisely in deferring action on the subject of amendment till arrival of the President's recommendations. Suitable committee referral and processing would be most necessary to prepare the revision of the act for action by this body as a whole.

Mr. President, I have prepared, and include in my statement an analysis and commentary on the case of *United States* v. *Harriss*, 347 U.S. 612, which was decided in 1953.

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

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

UNITED STATES V. HARRISS

The 1946 Act was held constitutional by the Supreme Court in the case of United States vs. Harriss, 347 U.S. 612 (1953). However, the grounds for the decision were labored and somewhat strained. It was a 5 to 3 decision, one Justice not participating. Dissent was vigorous. Justice Douglas in his dissent commented on the view adopted by the Court:

"The difficulty is that the Act has to be rewritten and words actually added and subtracted to produce that result."

In his dissent, Justice Jackson stated on this point:

". . . I recall few cases in which the Court has gone so far in rewriting an Act."

And in the closing sentence of that dissent is the following:

". . . I think we should point out the defects and limitations which condemn this Act so clearly that the Court cannot sustain it as written, and leave its rewriting to Congress. After all, it is Congress that should know from experience both the good in the right of petition and the evils of professional lobbying."

To reach the real evils of lobbying without cutting into real and substantial constitutional rights is a difficult and delicate task; and one which was not executed very satisfactorily in the law's present form.

Congress should address itself to a rewriting. But it should await the President's recommendations before doing so.

Upon receiving them, reference should be made to a regular committee processing and consideration in due course by the Congress.

The appellees in the Harriss case were charged by information with violation of the Lobbying Act. One of the defenses asserted was that the Act is so vague and indefinite as to be unconstitutional. It was argued that this statute either forbids or requires the doing of an act in terms so vague that men of common intelligence must necessarily guess at its meaning and differ as to its application. No one may be required to at peril of life, liberty or property to speculate as to the meaning of penal statutes. All are entitled to be clearly informed as to what the State commands or forbids. If it is so vague, then it fails to meet the standards required by due process of law.

It was contended that the Act plainly applies (1) to persons who pay others to present views to Congress either in committee hearings or by letters or communications to Congress or Congressmen, and (2) to persons who spend money to induce others to com-

municate with Congress. Justice Douglas in his dissent (at page 629) wrote:

"The Court adopts that view, with one minor limitation which the Court places on the Act—that only persons who solicit, collect or receive money are included. The difficulty is that the Act has to be rewritten and words actually added and subtracted to produce that result."

Justice Douglas then pointed out that Section 307 makes the Act applicable to anyone who "directly or indirectly" solicits, collects or receives contributions "to be used principally to aid, or the principal purpose of which person is to aid" in either (1) the "passage or defeat of any legislation" by Congress, or (2) "to influence directly or indirectly the passage or defeat of any legislation" by Congress.

Thereupon the Justice undertakes to explain how the Court disregarded large portions of the scope of the language of the statute, obviously holding them to be beyond constitutional limits, how the Supreme Court deleted certain words from its interpretation of the Act, and inserted other words.

Section 302(e) of the Act contains an all inclusive definition of "legislation", Justice Douglas pointed out. It means, "bills, resolutions, amendments, nominations and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House. Hence, when certain activities for passage or defeat of any legislation are dealt with in the Act, such reference would include not only pending or proposed legislation, but any matter within the legitimate domain of Congress.

But as Justice Douglas pointed out, the Court drew the line between "direct communication with Congress" and all other activities pertaining to the legitimate domain of Congress, but in which pressures might be brought upon it, nevertheless. Yet the Act is as much concerned with one as with the other.

Then the Justice turned his attention to the subject of influencing "directly or indirectly" the passage or defeat of any such measure in Congress. He wrote as follows, starting at page 630:

"What contributions might be used 'principally to aid' in influencing 'directly or indirectly, the passage or defeat' of any such measure by Congress? When is one retained for the purpose of influencing the 'passage or defeat of any legislation?'

"(1) One who addresses a trade union for repeal of a labor law certainly hopes to influence legislation.

"(2) So does a manufacturers' association which runs ads in newspapers for a sales tax.

"(3) So does a farm group which undertakes to raise money for an educational program to be conducted in newspapers, magazines, and on radio and television, showing the need for revision of our attitude on world trade.

"(4) So does a group of oil companies which puts agents in the Nation's capital to sound the alarm at hostile legislation, to exert influence on Congressmen to defeat it, to work on the Hill for the passage of laws favorable to the oil interests.

"(5) So does a business, labor, farm, religious, social, racial, or other group which raises money to contact people with the request that they write their Congressman to get a law repealed or modified, to get a proposed law passed, or themselves to propose a law.

"Are all of these activities covered by the Act? If one is included why are not the others? The Court apparently excludes the kind of activities listed in categories (1), (2), and (3) and includes part of the activities in (4) and (5)—those which entail contacts with the Congress.

"There is, however, difficulty in that course, a difficulty which seems to me to be insuperable. I find no warrant in the Act for drawing the line, as the Court does, between 'direct communication with Congress' and other pressures on Congress. The Act is as much concerned with one as with the other.

"The words 'direct communication with Congress' are not in the Act. Congress was concerned with the raising of money to aid in the passage or defeat of legislation, whatever tactics were used. But the Court not only strikes out one whole group of activities—to influence 'indirectly'—but substitutes a new concept for the remaining group—to influence 'directly.' To influence 'directly' the passage or defeat of legislation includes any number of methods—for example, nationwide radio, television or advertising programs promoting a particular measure, as well as the 'buttonholing' of Congressmen. To include the latter while excluding the former is to rewrite the Act.

"This is not a case where one or more distinct types of 'lobbying' are specifically proscribed and another and different group defined in such loose, broad terms as to make its definition vague and uncertain. Here if we give the words of the Act their ordinary meaning, we do not know what the terminal points are. Judging from the words Congress used, one type of activity which I have enumerated is as much proscribed as another."

When Congress reaches a point of considering amendments to a statute which falls under such severe criticism, note should be made thereof and appropriate action engaged in. The decision in the Harriss case was 5 to 3 in the Supreme Court. One judge did not participate. It should be clear in any event, however, that the reasoning and the logic of what Justice Douglas spelled out should receive the earnest attention and best efforts of Congress toward the goal of attaining a more satisfactorily written law which prescribes certain conduct under pain of severe penalties by way of fine and imprisonment.

FIRST AMENDMENT CONSIDERATIONS

The need for being specific and clear in statutes of this kind becomes especially apparent when we reach the field of the First Amendment. It provides that "Congress shall make no law . . . abridging the freedom of speech, or of the press; or the right of the people . . . to petition the Government for a redress of grievances."

Justice Douglas raises the question as to whether Congress can require one to register before he writes an article, makes a speech, files an advertisement, appears on radio or television, or writes a letter seeking to influence existing, pending or proposed legislation; or in fact any matter within the legitimate domain of Congress, and not pending legislation alone. On this point, he wrote:

"That would pose a considerable question under the First Amendment, as *Thomas* v. *Collins*, 323 U.S. 516, indicates. I do not mean to intimate that Congress is without power to require disclosure of the real principals behind those who come to Congress (or get others to do so) and speak as though they represent the public interest, when in fact they are undisclosed agents of special groups. I mention the First Amendment to emphasize why statutes touching this field should be 'narrowly drawn to prevent the supposed evil' (see *Cantwell* v. *Connecticut*, 310 U.S. 296, 307) and not be cast in such vague and indefinite terms as to cast a cloud on the exercise of constitutional rights. Cf. *Stromberg* v. *California*, 283 U.S. 359, 369; *Thornhill* v. *Alabama*, 310 U.S. 88, 97–98; *Winters* v. *New York*, 333 U.S. 507, 509; *Joseph Burstyn, Inc.* v. *Wilson*, 343 U.S. 495, 504–505.

"If that rule were relaxed, if Congress could impose registration requirements on the exercise of First Amendment rights, saving to the courts the salvage of the good from the bad, and meanwhile causing all who might possibly be covered to act at their peril, the law would in practical effect be a deterrent to the exercise of First Amendment rights. The Court seeks to avoid that consequence by construing the law narrowly as applying only to those who are paid to 'buttonhole' Congressmen or who collect and expend moneys to get others to do so. It may be appropriate in some cases to read a statute with the gloss a court has placed on it in order to save it from the charge of vagueness. See *Fox* v. *Washington*, 236 U.S. 273, 277. But I do not think that course is appropriate here.

"The language of the Act is so broad that one who writes a letter or makes a speech or publishes an article or distributes literature or does many of the other things with which appellees are charged has no fair notice when he is close to the prohibited line. No construction we give it today will make clear retroactively the vague standards that confronted appellees when they did the acts now charged against them as criminal. Cf. *Pierce* v. *United States*, 314 U.S. 306, 311. Since the Act touches on the exercise of First Amendment rights, and is not narrowly drawn to meet precise evils, its vagueness has some of the evils of a continuous and effective restraint."

The guarantees provided for in the First Amendment are highly prized by all Americans. Again, in view of the very persuasive fashion in which Justice Douglas wrote, it would behoove Congress to very seriously and earnestly apply its own talent and wisdom to the issue of constitutionality of the 1946 Lobbying Act. The responsibility of construing constitutionality of any of its measures belongs as totally and compellingly to the Congress as it does to the Executive or the Judiciary. It is submitted that Congress would be derelict if it did not recanvass this field now that it is getting into the subject of amending and revising an Act which underwent such severe stress and strain as the Lobbying Act of 1946.

MORE ON VAGUENESS

Justice Jackson in his dissent observed that the clearest feature of the Harriss case was that it began with an Act so mischievously vague that the Government charged with its enforcement did not understand it, because some of the Government's most important assumptions were rejected by the Court's interpretation. He went on to observe, at page 633:

"The clearest feature of the Court's decision is that it leaves the country under an Act which is not much like any Act passed by Congress. Of course, when such a question is before us, it is easy to differ as to whether it is more appropriate to strike out or to strike down. But I recall few cases in which the Court has gone so far in rewriting an Act."

Justice Jackson pointed out that Congress enacted a statute to reach the raising and spending of funds for the purpose of influencing Congressional action directly or indirectly. The Court entirely deleted "indirectly" and narrowed "directly" to mean "direct Communication with Members of Congress." These two constructions leave the Act touching only a part of the practices Congress expressly deemed sinister. Then he observed, (page 635):

"One may rely on today's narrow interpretation only at his peril, for some later Court may expend the Act to include in accordance with its terms, what today the Court excludes. . . . The ex post facto provision of our Constitution has not been held to protect the citizen against a retroactive change in decisional law, but it does against such a prejudicial change in legislation. As long as this statute stands on the books, its vagueness will be a contingent threat to ac-

tivities which the Court today rules out, the contingency being a change of views by the Court as hereafter constituted."

It should seem obvious to any reasonable mind that it is not wise to leave the scope of a criminal act such the one under scrutiny, close to impinging on the right of petition, dependent upon judicial construction for its limitations.

JUSTICE JACKSON'S ADVICE TO CONGRESS

In the final paragraph of his dissent, Justice Jackson concluded that to reach the evils, real evils, of lobbying without cutting into the Constitutional right of petition is a difficult and delicate task "for which the Court's action today gives little guidance." He stated a doubt whether the act as construed does not permit applications which would abridge the right of petition for which clear, safe, and workable channels must be maintained. His dissent concluded as follows:

"I think we should point out the defects and limitations which condemn this Act so clearly that the Court cannot sustain it as written, and leave its rewriting to Congress. After all, it is Congress that should know from experience both the good in the right of petition and the evils of professional lobbying."

Mr. HRUSKA. Mr. President, I have furnished a copy of my statement to the Senator from Oklahoma. He was kind enough to furnish me with a copy of his statement.

By way of summary, I wish to say that the 1946 Lobbying Act has proven to be faulty and inadequate. There are highly compelling reasons for its revision. Not a patchwork treatment. But a thorough, deliberate revision. One which will receive analysis and comment by law enforcement officials, officials who will administer the new law, and members of the bar who will be called upon by their clients for advice as to what acts and conducts are prohibited, those which are required, and of those which are allowable. Upon introduction of such a revision there should be such hearings and study as will permit the congressional committees to make an intelligent and durable decision as to the final content. A reporting thereof should be made to Congress for its enactment with such amendment as the judgment of Congress will call for.

Title V as now before the Senate does not consist of such a revision, nor was it processed as here described.

Mr. President, the Senate should defer further action on amendment of the 1946 Lobbying Act until the President's recommendations are transmitted to Congress. We have been informed that this should be soon.

Meantime, title V should be deleted from further consideration or action as a part of S. 355.

I reserve the remainder of my time.

Mr. MONRONEY. Mr. President, I yield myself 15 minutes.

Mr. President, title V of the Legislative Reorganization Act of 1967 amends the Federal Regulation of Lobbying Act. This act, which was a part of the 1946 reorganization bill, was the first comprehensive congressional effort to provide disclosure requirements for individuals and groups representing special interests in the legislative process.

The existence of lobbying is as old as our Government itself. Our Founding Fathers made mention of it in the Federalist Papers. As early as 1852, the House of Representatives considered restrictions on lobbyists. A Lobby Registration Act was passed by the Senate in 1928—but died for lack of action in the House. Both Houses passed lobby laws in 1935 but could not agree in conference. Legislation was passed to regulate interest groups in the public utilities and maritime field. But, despite this long background, virtually all lobby registration requirements currently in effect flow from the 1946 Reorganization Act.

It seems to me that after all this long history of trying to cope with lobbyists, we only seem to be effective in coping with them when Congress, in seeking to reorganize this machinery, determinedly feels that Congress is entitled to have an honest look at what is going on behind the scene in this right of petition, or lobbying activities, or whatever we may call it.

Certainly, the act has not been completely effective, but I feel that it cannot be written off as something inconsequential because the registration under the act of 1946, according to the highly respected Congressional Quarterly No. 599, in 1949 and 1950 expenditures show about $10,303,000.

Of course, this is not the complete story. It is not as effective as we would like to have it, but it is not inconsequential to have 600 lobbyists register and report the amounts of funds in the performance of their lobbying activities.

We should try to strengthen the bill in the lobbying section. I would prefer amendments from the floor rather than an effort to strike from the bill and kill the provisions for improvement in the lobbying law.

With respect to having this section stricken from the bill—and make no mistake about it, call it what we will, it is a motion to strike—we do not know whether the Committee on the Judiciary will ever report legislation or not. The history is not very encouraging because in all the years of existence of this Government we have had virtually nothing to regulate lobbying coming from the Committee on the Judiciary.

Efforts have been made in other committees. The Judiciary Committee today, even though it is under different leadership, does not and will not be able to promise that we will correct the matters that urgently require attention.

Mr. CURTIS. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I am glad to yield, on the Senator's time.

Mr. CURTIS. Yes. I do not think there is any quarrel with the objectives which the distinguished Senator from Oklahoma seeks in the regulation of lobbying.

My question is this: Has the Department of Justice rendered an option in writing in reference to title V of this proposed act?

Mr. MONRONEY. The Department of Justice has not rendered any opinion; nor have we felt that it was necessary to ask them for a decision on a rule that affects the operation of Congress itself.

I have no better authority for this statement than the statement made by Justice Jackson in the Harriss decision:

After all, it is the Congress that should know from experience both the good in the writing of peace petitions and the evils of professional lobbying.

The best experts in this case are the Members of Congress that are firmly aware of the activities, that are firmly concerned with the activities, that thoroughly know about it. This did not originate from outside of Congress. It originated from inside Congress. It originated with the first Joint Committee on the Organization of the Congress in 1946, and it passed strongly in both Houses.

The joint committee considered this subject a long time—12 men, six from each body. Of course, we are now bringing it before the men who know the most about the problem now, not the Justice Department, but the Members of the Senate.

We are concerned with the problem of what goes on on Capitol Hill. This is our jurisdiction, and our right to protect or at least to identify the sources of money and the forces of men trying, for pecuniary reasons—which they have a particular right to do—to pursue the influencing of legislation. We feel that Congress has the right to know who these forces are. We also feel that the public, as the boss of Congress, has the right to know what is being spent in the many efforts being made to influence legislation. That is all this act provides; namely, to require registration of the men and the money which is being spent in the attempt to influence the passage or advocacy of certain interests.

Mr. CURTIS. Who will enforce it?

Mr. MONRONEY. The enforcement will be by the Justice Department. And the supervision and administration will be by the Comptroller General. The Comptroller General acts as the agent of Congress, to receive these reports so that they will be meaningful in disclosing information to Congress about the men and the money involved in this practice.

Instead of having the Clerk of the House and the Secretary of the Senate, as before, as agents of Congress, we specify the Comptroller General because we feel that he has the facilities and the accounting experience to prepare meaningful reports which can be condensed and will be easy to file.

This is the reason why the Comptroller General is given certain powers to prescribe the kind and the format of registration. This has been one of the ways in which the act has been evaded. If the Senator has inspected the lists available—and they cover the whole waterfront—he will note that nothing is given us, nothing is clear as to the accounting procedures concerning how the money was spent. One of the largest lobbying organizations—perhaps the largest in the country—says, "We just do not know how to file our statements. Here are all of them—here are all the records for the 50 States." It is hard to break down.

We are trying to provide for a regular form for the filing of these expenses. That is all it amounts to.

Mr. CURTIS. Let me point out again, that there is no quarrel with a good law dealing with this subject, but in light of the long list of difficulties which the Justice Department has had in court in en-

forcing existing law, I, as one Senator, would have been helped had they been called upon to express their view on what is being attempted here to improve existing law.

Mr. MONRONEY. We do not have to rely solely upon the Justice Department. We know. We know because we have the Supreme Court's decision on the matter. We know the limitations by what the Court has said. That is what the committee is trying to do in perfecting the amendment.

Mr. HRUSKA. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I am glad to yield, on the Senator's time.

Mr. HRUSKA. The Senator from Oklahoma states that all this does is require the registration of lobbyists so that they will tell where they get their money and for what purpose.

Mr. President, we have no assurance that that will be true, because there is no one in the Department of Justice who can vouch for that construction. Whether this will be the effect of the amendments has not been tested in hearings or otherwise.

The President of the United States, has expressed the idea that the present act is not good enough, that it must be tightened. He has instructed his Attorney General to write a revision, a revision wider in scope than is contained in title 5 of the pending bill. It seems to me that pretty well disposes of the idea we can rely with blind confidence upon the alleged adequacies of the amendments contained in title 5.

Mr. MONRONEY. The recommendations of the joint committee have been in cold type and in broad circulation since last summer, sometime before the President determined that revisions to the 1946 act were needed. The Senator may have better information than I on what the Justice Department is going to propose, but I say that it is our duty to police our own "shop," to get the infomation, and not pass the buck downtown.

The President is not supposed to run the Senate, and no one believes that more strongly than the distinguished Senator from Nebraska [Mr. HRUSKA], or his colleague [Mr. CURTIS] on that side of the aisle; so it does not register as a valid argument with me that we should wait until the President sends legislation up to us.

Mr. HRUSKA. Mr. President, when he says that title V is simply a rule governing our own affairs, I would most respectfully differ with my colleague. It is a subject that the public is deeply interested in, just as they are interested in statutes intended to prevent corrupt practices in the judiciary, or in the executive or in any other place. After all, it will not be Members of Congress who will go to jail for violation of this act, it will be a member of the public. This is an act pertaining to those who want to take advantage of their constitutional rights of free speech, free press, and the right to petition. They have the right to know what is the rule which they must follow, so that they will know when they are within the law and when they are not. The amendments in title V do not meet the ordinary requirements of a criminal statute.

Mr. MONRONEY. I would say to my distinguished friend from Nebraska that I stated clearly that it is the duty of Congress to require a disclosure regarding efforts to influence legislation, and then to make this material public to the people of the United States.

That is our responsibility. This is the whole thrust of title V.

As I know the Senator realizes, upon reading what the policy of disclosure shall be, of what goes on in the influencing of legislation, as to who and how much is being spent, Congress is the proper source to provide the information so that the great newspapers and other publications can make it available to the people of the United States.

Our purpose is not to hide, but to disclose. There is no requirement in our bill to restrict or confine the activities of people who are properly employed to legitimately petition the Congress. We require only that they state who employs whom and how much they are spending and for what cause they are lobbying. This is a very cheap price to pay in a great democracy in return for the right of people, under the right of petition, at all times to talk to Members of Congress, to chairmen of committees, to members of the staffs, and others. But we do have a right to ask for these disclosures. I do not think we have to sit back and wait for the executive department to prod us into doing it.

The act of 1946, which has been in effect over 20 years, has been of some help. Granted that the court has invalidated part of it, it has helped. I think we should now correct the defects in the act. The amendment which we are considering will destroy the provisions intended to correct the known fallacies or defects in the act. We are not trying to bring about a new act. We are trying to bring about a correction, which I shall discuss in a few moments, in order to make the act effective, as I know all the members of the joint committee want, and as I know most Members of the Senate want.

Mr. HRUSKA. Mr. President, will the Senator yield, on my time?

Mr. MONRONEY. Yes. I would appreciate the Senator's using some of his time.

Mr. HRUSKA. It is not as simple as the Senator from Oklahoma says it is; namely, that the Supreme Court has construed it and everybody knows exactly what the situation is and all we have to do is patch it here and there.

In his dissenting opinion, Justice Douglas discussed five situations. The act of 1946 covered influence, direct or indirect. The Supreme Court knocked out indirect influence and construed direct influence of Congress to mean confrontation, face to face, between a lobbyist and a Member of Congress. In his dissenting opinion the Justice asked when it should be considered that one is retained for the purpose of influencing the passage or defeat of any legislation in regard to these situations:

(1) One who addresses a trade union for repeal of a labor law certainly hopes to influence legislation.

(2) So does a manufacturers' association which runs ads in newspapers for a sales tax.

(3) So does a farm group which undertakes to raise money for an educational program to be conducted in newspapers, magazines, and on radio and television, showing the need for revision of our attitude on world trade.

(4) So does a group of oil companies which puts agents in the Nation's capital to sound the alarm at hostile legislation, to exert influence on Congressmen to defeat it, to work on the Hill for the passage of laws favorable to the oil interests.

(5) So does a business, labor, farm, religious, social, racial, or other group which raises money to contact people with the request that they write their Congressman to get a law repealed or modified, to get a proposed law passed, or themselves to propose a law.

I have read those words from his decision verbatim. Justice Douglas also said:

Are all of these activities covered by the Act? If one is included why are not the others? The Court apparently excludes the kind of activities listed in categories (1), (2), and (3) and includes part of the activities in (4) and (5)—those which entail contacts with the Congress.

With that statement, can it be said that everybody knows its meaning, and that all one has to do is to register? If the act had been tested in hearings so as to know how it was going to work—which had not been done in 1946 or in 1966—we would have found many defects. The language of Justice Douglas in his dissenting opinion is pretty conclusive on that point.

I thank the Senator for yielding.

Mr. MONRONEY. Mr. President, I am delighted that the Senator from Nebraska has raised this point, as it is a very important point which the bill recognizes. We accept the fact that in Harris decision the Supreme Court ruled that direct lobbying was covered under the act. We are not trying to overturn that decision. There is no question that some acts or circumstances of indirect lobbying by certain persons or groups is not included in this act. That is crystal clear. But there are other problems. We proceeded on the idea of "principal." That seemed to be good language when Bob LaFollette wrote it into the 1946 act. Now, under the Supreme Court decision, "principal" would require that 50 percent or more of the activities of a man or organization be concerned with lobbying. We know that lobbying is not the principal activity of many lobbyists. They do not devote most of their efforts toward it. For that reason we have, I think wisely, modified the language to read "substantial," rather than "principal." This is the concept utilized with relation to tax cases and as applied to tax-exempt foundations.

It is high time we have an act that is subject to normal, reasonable interpretation, and I suspect that the Supreme Court, when the bill is passed, will further interpret the language to some degree, when cases reach it, as they undoubtedly will.

Three important improvements are provided. The last relates to the Comptroller General.

One of the great failures of the previous acts was that while Congress passed

an act providing for reporting, it established no guidelines as to the form in which such activities should be reported. It seems to me that a rather standardized form would be beneficial to the lobbyist, as to what information we feel is essential concerning amounts of money or costs of services in the interest of pieces of legislation. If we are going to do what I know the Senator from Nebraska as a Member of the Senate, wants to have done; namely, to tell the public what firms or persons are engaged in lobbying activities, to do those things that we would like to have done, we would prefer to have the reporting in such form that the amounts can be totaled and the people can know the amounts being spent.

For those reasons, we are trying to correct three defects in the law which we have found make the act ineffective.

When the test of the act began in the lower courts, registrations fell from a high of 600 to below 384. The amounts reported to be spent fell from a reporting of $10 million to $4 million.

Does anyone believe that less lobbying is going on now than previously, that there is a smaller number of lobbyists, that less money is being spent now than in 1949, when the first test of the act of 1946 began? I do not see how anyone could believe that. That is why we are proposing these provisions.

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

Mr. MONRONEY. Mr. President, how much time do I have left?

The PRESIDING OFFICER. The Senator has 41 minutes remaining.

Mr. MONRONEY. I yield myself 5 additional minutes.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). The Senator from Oklahoma is recognized for 5 additional minutes.

Mr. MONRONEY. After the Joint Committee on the Organization of the Congress was organized in March 1965 we announced hearings to take testimony on proposals for congressional reorganization, including modifications to the 1946 act.

We had testimony from a representative of the Congressional Quarterly, the only private publication which has systematically reviewed and publicized lobby registrations since 1946. He strongly urged strengthening of the 1946 act, more effective administration and enforcement, and wider public dissemination of registration information. References to this testimony appeared in the joint committee's interim reports of July 8, 1965, and January 19, 1966.

I remind the Senator that the joint committee also had available the various studies of the Lobby Regulation Act which had been conducted since 1946. Hearings were held before the Committee on Expenditures in the Executive Departments—now the Government Operations Committee—in 1948. I happened to be one of the witnesses in those hearings.

The House Select Committee on Lobbying Activities conducted a major study in 1951 under the chairmanship of Representative Frank Buchanan, of Pennsylvania. The Buchanan committee had some 10 separate volumes of hearings and issued 12 reports and proposed legislation during their deliberations.

In 1956, then Senator John F. Kennedy conducted hearings before the Governmental Reorganization Subcommittee of the Senate Government Operations Committee, accummulated information from over 200 registered lobbyists, and proposed remedial legislation.

The following year, Senator JOHN MCCLELLAN chaired a Special Committee to Investigate Political Activities, Lobbying, and Campaign Contributions. This eight-member, bipartisan committee included such distinguished present Members of this body as Senator ALBERT GORE and Senator CLINTON P. ANDERSON and equally eminent former Members as John F. Kennedy, Senator Styles Bridges, Senator Barry Goldwater, Senator Edward J. Thye, and Senator William A. Purtell. The McClellan committee took testimony from 146 witnesses and issued a final report proposing sweeping reforms in the 1946 lobbying law.

In 1965, the Senate Rules and Administration Committee reported an original bill modifying the 1946 act to provide for administration of the lobby registration law by the General Accounting Office.

In addition to these congressional studies, the committee had available to it the leading Supreme Court decision interpreting the 1946 act, United States against Harriss, the studies of this legislation prepared by the Legislative Reference Service of the Library of Congress, and the multitude of articles written by lawyers and political scientists analyzing the weaknesses of the act and recommending various modifications.

Mr. President, I have set forth this background at some length so that the Senate will realize that the recommendations of the joint committee as contained in S. 355 were carefully studied with proper foundation. Indeed, an analysis of our proposed amendments indicates that they follow the consensus reached by critics of the act over the past 21 years. Let me add that the joint committee's report, including these proposals, was published on July 28, 1966, and a bill with the provisions identical to those contained in S. 355 was introduced in both Houses last session. So I am not in sympathy with those who argue that this matter requires additional consideration before Congress can be prepared to act.

Before discussing the act's shortcomings and the proposed improvements contained in title V of this bill, let me outline briefly what the Lobby Registration Act does not do:

It does not prohibit, limit, or penalize lobbying activities in any way. Those who seek to influence legislation are limited in the scope of their activities only by the general criminal statutes. The Lobby Act simply requires registration to identify their interest.

It casts no stigma on private individuals and groups who play such an important part in the legislative process. Its disclosure requirements are far less arduous than those required of public companies by the Securities and Exchange Commission and such registration carries no implication of past or potential wrongdoing.

It does not affect the constitutional right of petition—or even require the registration—of those who spend their own funds for lobbying purposes. The act applies only to those who solicit or receive the funds of others.

It does not—as construed by the Harriss decision—cover many activities clearly designed to influence legislation unless those activities involve "direct communications with Members of Congress" through personal contact or inspiring such communications by others. In other words, the scope of the act is limited and does not include much grassroot lobbying which may build public sentiment for or against legislation and have great impact on the eventual legislative result.

It does not apply to those who appear before congressional committees or assist others in the preparation of testimony.

It does not include newspapers or periodicals which editorialize or carry advertisements calculated to influence legislation.

But the act does have an important purpose. Perhaps it was best stated by Chief Justice Warren in the opinion of the Supreme Court in the Harriss case:

> Present-day legislative complexities are such that individual Members of Congress cannot be expected to explore the myriad pressures to which they are regularly subjected. Yet full realization of the American ideal of government by elected representatives depends to no small extent on their ability to properly evaluate such pressures. Otherwise, the voice of the people may all too easily be drowned out by the voice of special-interest groups seeking favored treatment while masquerading as proponents of the public weal. This is the evil which the Lobbying Act was designed to help prevent.
>
> Toward that end, Congress has not sought to prohibit these pressures. It has merely provided for a modicum of information from those who for hire attempt to influence legislation or who collect or spend funds for that purpose.

The act has been criticized from its inception as failing to meet its intended ends. The 1948 Government Operations hearings sounded a warning note although no specific changes were recommended. The 1951 Buchanan committee concluded that the act was disclosing only a small fraction of actual lobbying expenditures and should be radically modified. The 1954 Harriss decision made it clear that the Supreme Court would construe the act strictly with the result that many individuals, and groups with obvious legislative interests would be beyond its purview. The Kennedy proposals in 1956 advocated far more sweeping revisions than included in S. 355. The McClellan 1957 study suggested extending the act to grassroots lobbying, and the sending of false communications to Members. The 1965 original bill from the Rules and Administration Committee echoed the McClellan proposal that GAO administration of the act was necessary.

While the critics have been many, there is a central theme underlying the criticism. In fact, there is little disagreement as to the major problem areas

and surprising unanimity as to the desirable approach in their solution. The major shortcomings of the 1946 Regulation of Lobbying Act are as follows:

First, the group for which registration is required is so limited that many with important legislative interests do not register. The 1946 act requires registration only by those who solicit, collect, or receive money or other consideration, "to be used principally to aid, or the principal purpose of which person is to aid," the influencing of legislation. Although the Supreme Court in the Harriss case made some effort to hold that lobbying activities need not be the sole or main purpose of the registrant, the "principal purpose" test has provided a convenient escape hatch for those with both legislative and nonlegislative activities who prefer not to register, and I think the statistics I gave a moment ago prove that point. Indeed, many groups seem to interpret "the principal purpose" as a majority test—that registration is not required unless more than half of their activities are legislative in nature.

Second, the definition of "lobbying" as interpreted by the Supreme Court is limited to "direct communication with Members of Congress on pending or proposed Federal legislation." This definition does not include many grassroots activities which are even more difficult to identify than direct contact, and which may carry an equally important public opinion impact. Thus, pamphleteering and other propagandizing by interest groups to gain greater public response for a particular economic or political philosophy are clearly beyond the purview of the act. Likewise, the act does not require registration of expenditures for national advertising which may result in substantial pressures on Members.

The PRESIDING OFFICER. The Senator's time has again expired.

Mr. MONRONEY. Mr. President, I yield myself 3 additional minutes.

The PRESIDING OFFICER. The Senator is recognized for 3 additional minutes.

Mr. MONRONEY. Third, such registration information as is obtained is confusing because each registrant is the judge of the amount of expenses he allocates to legislative activities. Thus, the apparent "big spender" may actually have more conscience rather than more influence.

Fourth, the act is poorly administered from the standpoint of providing maximum public attention and availability of information. The Clerk of the House of Representatives and the Secretary of the Senate, the designated custodians of information, have neither the facilities nor the mandate to provide tabulations geographically, by type of interest, or for specific legislation. Unfortunately, there has also been a tendency to discourage public dissemination of the registration—a result never intended by the act.

We proposed that the Comptroller General would have a location where these various reports, when made, can be examined by the public and the press, and not put away in some congressional official's office, where there is no room for the public or the press to work or to have any kind of knowledge of where to find these papers.

Fifth, and perhaps most important of all, the law simply is not enforced. The Clerk and the Secretary are not and cannot be policing officials to determine if registrations are accurate and if others are evading registration. The Department of Justice, while carrying prosecuting responsibility for the criminal sanctions, has made no effort to police registrations since 1952.

This lack of enforcement obviously penalizes the conscientious registrant and rewards the individual or group less candid about legislative activities, and is doing so today, because many of the men who register today are men who may not be engaged principally in lobbying activities, but who feel honorbound to carry out the spirit of the act. So it is the conscientious who are being penalized, and if we do not correct the act, they will continue to be penalized, while those who are willing to gamble that they can continue to evade the act will not be required to file anything until such time as the Committee on the Judiciary is prepared report out an effective registration bill.

The McClellan committee succinctly set forth the problem:

> Two of the most persistent and serious criticisms of the 1946 statute are that (1) no provisions are made for administering the act, and (2) the words "principal purpose" have been interpreted to mean main or primary purpose, thus negating the aims of the drafters. Unless corrective action is taken with respect to these two basic defects, all students of the subject agree that no effective statute is possible.

Now let me turn to the solutions provided by title V of S. 355.

First, section 307 of the act—the "principal purpose" test—would be amended to require registration by those soliciting, collecting, or receiving money or other consideration "a substantial part of which is to be used to aid, or a substantial purpose of which person is to aid" the influencing of legislation. In other words, the threshold of the act would be widened.

Such a test is clearly constitutional. Indeed, the language of the Supreme Court in the Harriss case leaves much doubt as to whether the Court intended the principal purpose requirement to create such a glaring loophole in the law. Chief Justice Warren addressed himself to this question in the following language:

> There remains for our consideration the meaning of "the principal purpose" and "to be used principally to aid." The legislative history of the Act indicates that the term "principal" was adopted merely to exclude from the scope of Sec. 307 those contributions and persons having only an "incidental" purpose of influencing legislation. Conversely, the "principal purpose" requirement does not exclude a contribution which in substantial part is to be used to influence legislation through direct communication with Congress or a person whose activities in substantial part are directed to influencing legislation through direct communication with Congress. If it were otherwise—if an organization, for example, were exempted because lobbying was only one of its main activities—the Act would in large measure be reduced to a mere exhortation against abuse of the legislative process. In construing the Act narrowly to avoid constitutional doubts, we must also avoid a construction that would seriously impair the effectiveness of the Act in coping with the problem it was designed to alleviate.

But despite our intentions in 1946 and the apparent support of the Supreme Court in the 1954 Harriss decision, the principal purpose exclusion has, without question, been a major escape hatch for multipurpose organizations with major legislative interests. The failure of such organizations or their agents to register distorts the intent of the act, leaves these groups unidentified, and makes the remaining registration information most incomplete and misleading in the tabulation of spending totals.

To those who assert that "substantial" is too vague a test, I would point out that this criteria has been used for many years in Federal law. It is an integral part of the Internal Revenue Code. Tax exemption is provided for contributions to charitable and educational organizations "no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation." It is the criteria on which the tax exempt status of such organizations themselves are determined. Tax exempt organizations lose their status where "a substantial part" of their activities "is attempting to influence legislation by propaganda or otherwise."

The term "substantial" has also been applied in determining applicability of such other legislation as the Fair Labor Standards Act and the Taft-Hartley Act.

Now you may ask "What is substantial?" Does it mean so many dollars or a specified percentage of the individual or organization's total activity? The answer must be determined on a case-by-case basis. A $1,000 expenditure might be substantial for an individual with a $10,000 annual salary and quite substantial to an organization with a million-dollar annnual Washington office budget. For the same reasons, a rigid percentage test is impractical. But to say that this makes the test too vague is to ignore the Supreme Court decisions on this and other laws and the entire body of laws and regulations which have been built up in many fields of Federal regulatory activity.

If we believe that interest groups who directly influence legislation should be registered—and I am one that does—it is not enough to throw stones at the proposed test for registration. We must also examine the alternatives. We could, I suppose, have adopted the viewpoint of the 1956 Kennedy bill which would have required registration by an individual spending "any portion of his time" on legislative activities. We could have adopted a monetary test such as the proposal of the Buchanan committee requiring registration by those spending over $1,000 annually or the McClellan committee proposal requiring registration by those spending over $300 a quarter. But while these tests are certainly definite, they also result in the required registration by many individ-

uals and companies with rather incidental legislative activity. After careful consideration, we concluded that the descriptive "substantial" test was more in keeping with congressional intent than a rigid requirement on a dollar or percentage basis.

Let me add that the individuals and groups who are presently evading the intent of the 1946 act—and who would feel compelled to register under the provisions of this law—are well aware of the extent of their own legislative interests. They come to Capitol Hill to participate in the legislative process—and registration of that intent should create no stigma. They are and should be regarded as honorable and knowledgeable men. But I cannot sympathize with—and frankly do not understand—their reluctance to identify the nature and extent of their constituency. Nor is it desirable for some to register and others to remain silent. The proposed "substantial purpose" test would make it far more likely that the vast majority of those with continuing legislative contacts would become subject to the act.

The second problem under the 1946 act is a proper definition of what constitutes lobbying. Following the passage of that law, there were many who feared that virtually every activity which molds public opinion at the grassroots level—with an inevitable effect on Members of Congress—would be within the registration requirement. On this basis, there was legitimate concern as to the constitutionality of the statute under the first amendment right of a citizen to petition his government.

In the 1954 Harriss decision, the Supreme Court made it clear that these fears were unfounded. In interpreting section 307, the section identifying persons to whom the law was applicable, the Court stated as follows:

> We believe this language should be construed to refer only to "lobbying in its commonly accepted sense"—to direct communication with members of Congress on pending or proposed federal legislation. The legislative history of the Act makes clear that, at the very least, Congress sought disclosure of such direct pressures, exerted by the lobbyists themselves or through their hirelings or through an artificially stimulated letter campagin. It is likewise clear that Congress would have intended the Act to operate on this narrow basis, even if a broader application to organizations seeking to propagandize the general public were not permissible.

I do not quarrel with the Court's interpretation of congressional intent. It makes it clear that "direct communication with Members of Congress on pending or proposed legislation" can be either by personal contact or by artificially stimulated mail. If we know the source of funds of those who see us directly and the source of financing of the volumes of manufactured mail which comes to us on controversial national issues, we are in the best possible position to evaluate the credibility of the appeal.

Again, let me emphasize that our approach to this problem is neither new nor revolutionary. The 1957 McClellan bill would have gone substantially beyond the scope of the 1946 act. It would have required registration by any person or organization spending $50,000 in presenting a program to the public "a substantial portion of which is intended, designed, or calculated to influence legislation." In other words, it would have required registration by those engaged in general grassroots lobbying as well as those making personal contact or stimulating letter campaigns on specific legislation. The Buchanan committee—which predated the Harriss decision—had assumed that grassroots lobbying was and should be covered by the act. Since S. 355 does not expand the definition of lobbying to this extent, it can hardly be regarded as rash or intemperate in this area.

The third shortcoming of the 1946 act is the wide variation in the amounts allocated by organizations and individuals as lobbying expenditures from their total budget. Some groups have compounded this difficulty by simply filing their entire budget and stating that they cannot weed out the legislative dollars. Obviously, this makes for a chaotic situation in attempting to tabulate expenditures by groups or evaluate the relative spending of various organizations.

Since this is a determination made by the registrant and—like the preparation of an income tax return—is bounded only by a clear showing of an attempt to avoid or evade the law, some variety is inevitable. However, S. 355 would take a major step forward in regularizing registrations by giving the registrant an option. He can either file the amount of his contributions or expenditures applicable for lobbying purposes or, if that proportion cannot be ascertained with reasonable certainty, he can file total receipts and expenditures with an estimate as to the part allocable to lobbying activities.

As a result of this provision, organizations would have some desirable flexibility in their method of reporting. But, in either event, it would be now possible to make tabulations more accurately reflecting spending totals.

The fourth problem of insufficient publicity to registrations and the fifth problem of faulty enforcement go hand in hand. It is apparent to everyone—Members of Congress, those registering under the act, and the press and public—that failure to establish clear-cut responsibility for administration and enforcement of the law is an almost fatal defect.

Virtually all critics of the act are in agreement that the proper agency for administration is the General Accounting Office under the direction of the Comptroller General. The 1957 McClellan bill would have transferred these responsibilities to GAO. The bill reported by the Rules and Administration Committee in 1965 carried the same provision. The former Comptroller General, Joseph Warren, stated in 1957 that they were in a position to administer the act. The Acting Comptroller General made a similar statement in 1965. The description of the powers and duties of the Comptroller General as contained in S. 355 are virtually identical to the 1965 bill.

Under proposed section 310, the Comptroller General as the agent of the Congress is authorized to develop and prescribe methods and forms for filings and statements required under the act and to promulgate regulations for its administration. He is specifically directed to make reports and statements available for public inspection. Such reports are to be retained for a period of not less than 5 years. The Comptroller General is also to make studies and recommendations to Congress for further improvements in the law and to transmit to Congress annually a full and complete report on its administration. The present provision requiring that this information be printed in the CONGRESSIONAL RECORD is retained.

The Comptroller General would also ascertain whether persons within the purview of the law had failed to file reports or had filed incomplete or inaccurate information. Where necessary, he is directed to refer information on failures to properly register to the Department of Justice for action. The Justice Department, as it should under existing law, must then determine if action should be taken under the penalty clause of the act.

S. 355 also deals with two other areas which have been of constant concern since the passage of the 1946 act. The first is that of contingent fee agreements. I think the danger of an employment agreement which makes compensation dependent on the passage or defeat of specific legislation is rather apparent. Early Federal cases on lobbying held that such arrangements were so inherently compromising as to be unenforceable and against public policy. The lobbying laws of 21 States prohibit contingent fee contracts. The 1950 Buchanan committee and the 1956 Kennedy bill flatly prohibited contingent fee lobbying.

Our committee considered this problem at length and concluded that we should not prohibit these arrangements as per se evil. Some small organizations may not be able to afford full-time legislative representation and a contingent fee may be their only means of securing an experienced advocate for their position. Still, Members of Congress and the public as well, are entitled to an unusually careful disclosure. S. 355 adds additional language to the registration requirements of section 308 in the 1946 act to provide, in filing with the Comptroller General, a detailed description of these contingencies.

I say it is a good act and does not need to wait, or to be chopped out of this bill, on the slight chance that the Judiciary Committees may be able to agree on reporting legislation that will adequately correct these defects.

We feel that we have already done so, and I believe that Senators who have studied the hearings, the reports, and the other matters that we have submitted will agree.

Mr. President, I reserve the remainder of my time.

Mr. HRUSKA. Mr. President, will the Senator yield for a brief question, on my time?

Mr. MONRONEY. I yield.

Mr. HRUSKA. How many hearings were held on the specific contents of

title V of this bill, after they were formulated?

Mr. MONRONEY. No hearings were held on any section of the bill.

Mr. HRUSKA. The Senator has answered the question.

Mr. MONRONEY. The bill was reported, as was the Reorganization Act of 1946——

Mr. HRUSKA. The Senator has answered my question.

Mr. MONRONEY. After careful consideration by the joint, bipartisan committee, and we have made, I think, approximately 100 corrections or changes that had been sought by the Members by floor amendment. That is why I say that I would object to chopping this section out of it, and trusting to the good offices of some other committee to pick it up.

The PRESIDING OFFICER. Who yields time?

Mr. HRUSKA. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 5 minutes.

Mr. MONRONEY. Mr. President, before the Senator begins, I ask unanimous consent that we may have a quorum call, not to be charged to either side.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HRUSKA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. HRUSKA. Mr. President, in reviewing the statement made in opposition to my amendment and in favor of title V, I find that I can make no legitimate quarrel with virtually any of it.

This is because it goes to the proposition of the necessity for a good lobbying act. It also explains in great detail that the present law has not been enforced and has fewer registrants under it now than before.

I say amen to that because that is the record. However, any argument that title V cleans up the defects in the present law fails.

The proposal does not deal with the basic difficulty which concerns a definition of what is meant by directly or indirectly influencing legislation.

Nothing is mentioned about this. But this is the point with which the Supreme Court had such difficulty. That produced a very sorry result.

Attention has been called to the fact that various hearings have been held in past years.

However, not a single word has been heard to date on the specific provisions of title V. We have no idea of what the Department of Justice thinks of it.

It is a custom, and it has been ever since George Washington's day, that when we have a bill pertaining to the Department of Justice, we in the Judiciary Committee call in the Attorney General and give him an opportunity to be heard. He is the chief law enforcement officer.

The Attorney General has not had a chance to be heard.

We can talk all we want concerning the extensive hearings that have been had. The unchanged fact is that not one single word of testimony is found in the RECORD on the precise provisions of title V.

It is rather ironic when it is suggested that reports under the bill ought to be made public. Yet, in the language of title V of the pending bill, the registration is placed under the Comptroller General. The Comptroller General is not covered by the Administrative Procedure Act. It is that act which contains the provisions passed by Congress that protects the right of the public to know and forces the executive departments to disclose.

The fact still remains that this law will be enforced through regulations which are promulgated by the Office of the Comptroller General who is not governed by the Administrative Procedure Act.

The fact remains that the pending bill is deeply colored and deeply permeated with constitutional questions of the most serious kind.

Not a bit of consideration was given to the constitutionality of title V in light of the present act, as it has been construed by the Supreme Court. No testimony; no judgments. It seems to me, and it seems to those who oppose title V, that this presents great difficulty.

Now, then, as to efforts to kill this lobbying act: If it is intimated that the Committee on the Judiciary will bury this bill, and therefore we should not send it to that committee, could not the question be asked with equal logic. Why this resistance to an effort to open the merits and demerits of this bill to a candid, above-the-board, public examination in a committee? One position would be as justifiable as the other.

The President's recommendation should be received, not for the purpose of acceptance but for the purpose of serving as a starting point to pass a good, complete, and tighter lobbying bill. If we send it to the Committee on the Judiciary and the bill does not come back, it will mean that the bill was judged to be no good, after having been subjected to those legislative procedures to which we have subjected all other bills.

It is a poor argument, indeed, that we must pass this title on the basis of expediency. That otherwise no bill will be passed. This title is not deserving of the approval of either the House or the Senate on the basis of its present record, and I hope that the Senate will reject it at this time—by way of deferment, not by way of killing it. The Senate will do this by adopting Amendment No. 120, which would postpone temporarily, consideration by Congress of this subject.

I reserve the remainder of my time.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The Senator from Oklahoma is recognized.

Mr. MONRONEY. Mr. President, my distinguished colleague, the Senator from Nebraska, who is a very learned member of the Committee on the Judiciary, has made several references to the application of the Administrative Procedure Act.

This act is designed to afford protection to members of the public who will be regulated by various governmental agencies. The act does not apply to Congress or its officers, employees, or agents. It has uniformly been held that the Administrative Procedures Act does not apply to the General Accounting Office since it functions as an arm of Congress.

Section 310 as proposed in S. 355 provides that the Comptroller General shall administer the lobby law "as the agent of the Congress." We do not believe that it is intended nor desirable that the Comptroller General be subject to the Administrative Procedures Act when he acts in this capacity. In this connection, I have received a letter on March 2 1967, from Comptroller General Elmer B. Staats, recommending that the act not be made applicable to the functions of the General Accounting Office in carrying out the provisions of title V of S. 355. I ask unanimous consent that Comptroller General Staats' letter appear in the RECORD at this place in my remarks.

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

COMPTROLLER GENERAL OF THE
UNITED STATES,
Washington, D.C., March 2, 1967.

Hon. A. S. MIKE MONRONEY,
Cochairman, Committee on the Organization of the Congress, Congress of the United States.

DEAR MR. COCHAIRMAN: This is in reference to the inquiry by Mr. Pierson of your staff concerning our recommendation that the Administrative Procedure Act not be made applicable to the functions of our Office in carrying out the provisions of "Regulation of Lobbying" in Title V of S. 355.

In the event that the Legislative Reorganization Act of 1946, 2 U.S.C. 261 *et seq.*, is enacted along the lines of S. 355 to provide for the transfer of certain functions of the Secretary of the Senate and the Clerk of the House in the regulation of lobbying, to the Comptroller General we strongly recommend the nonapplicability of the Administrative Procedure Act to the new functions of the Comptroller General. This is accomplished by section 506(b) of the bill which provides that the Comptroller General shall be acting as the agent of the Congress in carrying out the functions transferred.

Reasons for so providing are:

(1) We have consistently taken the position that the Administrative Procedure Act does not apply to our Office. Our functions in issuing audit reports, settling claims, and advising Executive Departments by way of legal decisions, do not directly affect the public at large and thus we have not staffed to carry out administrative hearings of the type that would be needed under the Administrative Procedure Act.

(2) The proposed change in the law would make no change in the administrative requirements of the act except to make affirmative provision for the investigation of violations. Thus, the enactment of such legislation would—in effect—be a transfer of functions from the Secretary of the Senate and the Clerk of the House to the Comptroller General. Under the present lobbying law the Administrative Procedure Act does not apply because that Act does not apply to the Congress. Thus, inasmuch as this would still be a function carried out for the Congress, the same exclusion from the Administrative Procedure Act should continue.

(3) Alleged violations of the Act are in the

final analysis for consideration by the Department of Justice.

We have no objection to the transfer of administrative responsibilities of the Lobbying Act from the Secretary of the Senate and Clerk of the House to the General Accounting Office. As was stated in our reports of July 12, 1957, and August 5, 1965, to the Chairman, House Committee on the Judiciary, on similar bills, our Office is agreeable to taking on the administrative responsibilities which Title V of S. 355 imposes.

If there is any further information desired on this matter, please advise.

Sincerely yours,

ELMER B. STAATS,
Comptroller General of the United States.

Mr. MONRONEY. Mr. President, the reason why the Administrative Procedures Act should not apply is that the Comptroller General is only the administrator of the act—not its enforcer. An examination of the functions of section 310 indicates that they are primarily concerned with the mechanics of registration. They include developing and prescribing forms for the filing of statements and promulgation of regulations for such administration; making reports and statements available for public inspection; making studies and recommendations to Congress; and retaining copies of reports and statements for a period of not less than 5 years. In this area, the Comptroller General replaces the Secretary of the Senate and the Clerk of the House of Representatives, who formerly had the job of receiving the reports from those who desired to register or who felt that they were under the compulsion of law to register.

Needless to say, neither of these congressional officers has been under the Administrative Procedures Act in the administration of this bill.

Responsibility for enforcement lies with the Department of Justice. The Comptroller General's function as specified in section 310 is limited to notification of persons who fail to file or have filed incomplete or inaccurate reports that their registration does not appear satisfactory and reference to the Department of Justice for appropriate action of failures to register or improper registrations. The act provides no authority to the Comptroller General to require registration or impose penalties for failure to register.

Responsibility for prosecution of violations under the act rests with the Department of Justice and the penalties remain the same as in the 1946 act—a misdemeanor punishable by a fine of not more than $5,000 or imprisonment for not more than 12 months or both. For this reason, I see no need for the imposition of the Administrative Procedures Act on the Comptroller General and believe that it would establish a dangerous precedent to place an agent of Congress within the purview of this act.

I point out, on another phase of the matter—whether this subject has been inadequately studied or not: I mentioned earlier the study that was done by the McClellan committee in 1957. The McClellan committee, not in a speech on the floor or in an informal statement, but in its final report, stated:

> The "principal purpose" interpretation is almost universally regarded by students of the subject as erroneous and in conflict with the intent of the La Follette-Monroney committee. The provision, however, has been seized upon by groups which most people would consider as being extremely influential in the area of legislative activity, as an excuse for exemption from the act. Some of them have, on advice of counsel, refused to register and others, protesting that they are not engaged in lobbying and are not properly under the act, have registered more or less under protest. Scholars have generally urged that "substantial" or "significant" be substituted for "principal purpose" as a test of applicability, with administrative rulings provided to determine whether the statute is intended to encompass particular situations.

I do not contend, as I believe was intimated by my distinguished colleague, the Senator from Nebraska, that we believe that when we pass this Lobby Registration Act, no other committee, no other persons or groups in the Senate or in the House, can modify, change, amend, or even repeal the act that we proposed in 1946 or that we propose now to modify and correct in line with the Supreme Court's decisions.

I am certain that the Committee on the Judiciary has the right to begin hearings on this section in the bill the day after this act passes. If the committee so desires, it can summon everyone in the Justice Department, if it wishes to get what they know about the matter, in addition to what we know and have learned in various congressional investigations extending over many years and chaired by distinguished jurists such as the Senator from Arkansas [Mr. MCCLELLAN] and many others who have had this matter under careful, long-term hearings.

Fundamentally, three things need to be done. There are three defects in the present law. No one that I know of has raised any significant objection to the remainder of the bill, other than these three items. If we do not amend the bill in these three particulars at this point, we will be leaving an ineffective bill; and I doubt seriously that, with all the understanding of the law and all the investigation the Committee on the Judiciary may have, they will repeal the Lobby Registration Act. I believe that they will be in favor of a Lobby Registration Act if they study the matter and come to grips with it.

Mr. HRUSKA. Is anyone contending for a repeal of the Lobbying Act?

Mr. MONRONEY. Today, by striking title V, we would be repealing the provisions that correct the 1946 act. In the pending bill, we would update the present law.

Mr. HRUSKA. I come back to my question: Is anyone calling for repeal of the Lobbying Act?

Mr. MONRONEY. The amendment of the distinguished Senator from Nebraska calls for the striking out of the provisions that amend the Lobbying Act of 1946.

Mr. HRUSKA. The Senator is correct. Is that a repeal of the 1946 act?

Mr. MONRONEY. I am saying that it is a repeal as far as our effort to bring the act into line with our current needs.

Mr. HRUSKA. It is a contradiction of terms, because a law cannot be repealed until it has been enacted, and title V has not been enacted.

Mr. MONRONEY. It strikes the provision from the bill.

Mr. HRUSKA. It would leave the 1946 act intact.

Mr. MONRONEY. And defective, as the Senator said clearly.

Many lobbyists have failed to register because of their interpretation of the words "principally engaged in." Hundreds of lobbyists evade registration. They will not evade registration if we have the courage to write into the bill, as amendments to the 1946 act, a definition which is more inclusive. We substitute "substantially."

Mr. HRUSKA. On the contrary, hundreds of people engaging in activities which would be called lobbying under the language of the 1946 act would still not be required to register. Why, Mr. President? Because the Supreme Court has said that any indirect efforts at influencing legislation are no longer a part of the statutes of the Nation. It does not matter whether it is "principally" or "substantially," or anything else.

The greater part of the language in the 1946 act has been nullified by the Supreme Court. The amendments in title V do not touch upon that part nullified by the Supreme Court.

Mr. MONRONEY. It is not necessary for us to refer to it. We do not attempt to override the Supreme Court.

Mr. HRUSKA. I would like to override the Supreme Court, because I think many activities constitute real lobbying. Some of them are pernicious and vicious, and were excluded by the Supreme Court, although it was the intent of Congress to include them. When the Senator from Oklahoma served on the committee 20 years ago, direct as well as indirect influence was meant to be included; not merely the buttonholing of a Member of Congress.

I want to see that provision reinstated in the law and made effective constitutionally. A violation of the law would be a criminal offense, but Congress would write the language and not the Comptroller General.

Mr. President, that is the basis of our objection to the amendments in title V.

Mr. MONRONEY. The Comptroller General has nothing to do with prosecution.

Mr. HRUSKA. I did not say that he did. I said he will make the regulations under title V. He will make the regulation, the violation of which will subject the violator to criminal penalty.

Mr. MONRONEY. We expect to prescribe the penalties that are necessary and he only administers the act.

As to the definition of "lobbying," the language used in the Supreme Court in reporting this matter was:

> We believe this language should be construed to refer only to "lobbying in its commonly accepted sense"—to direct communication with Members of Congress on pending or proposed federal legislation. The legislative history of the Act makes clear that, at the very least, Congress sought disclosure of such direct pressures, exerted by the lobbyists themselves or through their hirelings or through an artificially stimulated letter campaign. It is likewise clear that Congress

would have intended the Act to operate on this narrower basis, even if a broader application to organizations seeking to propagandize the general public were not permissible.

I do not quarrel with the Court's interpretation of congressional intent. It makes it clear that "direct communication with Members of Congress on pending or proposed legislation" can be either by personal contact or by artificially stimulated mail. If we know the source of funds of those who see us directly and the source of financing of the volumes of manufactured mail which comes to us on controversial national issues, we are in the best possible position to evaluate the credibility of the appeal.

This act can be made enforceable to discourage pernicious, illegal, or undesirable types of lobbying activities. It will be effective as to the degree of information that is made available concerning who is lobbying, and who is employing them as lobbyists, and how much they are spending for that purpose.

I do not think that is too much to ask, and there is no reason to postpone at this time, the inclusion of these fundamental corrections which all studies made in recent years by the Senate and the House of Representatives advocate as being necessary to regularize this matter.

With reference to the record of the Committee on the Judiciary, this interest is rather new found on their part. I am, of course, most pleased to see the interest of distinguished members of the Judiciary Committee in giving attention to this important issue. Historically, this committee has been slightly less enamored with lobbying problems. Bills on lobbying were introduced and referred to the Judiciary Committee in the 60th, 62d, 63d, 64th, 67th, 68th, 70th, 71st, 72d, 73d, 74th, and 76th Congresses—and none of these bills were ever reported. The limited lobbying bills passed by Congress prior to 1946 were reported by other committees. The 1946 act was a product of a special committee on reorganization. Lobbying proposals since 1946 have customarily been referred to the Government Operations Committee as a part of that committee's jurisdiction over the Legislative Reorganization Act. A few have also, however, been referred to the Judiciary Committee since 1946 but with similar results as respects lack of action as in previous Congresses. The last bill on the act which was referred to that committee was in the 82d Congress.

The Committee on the Judiciary, by its interest shown in the past and by the various changes that have taken place, would not necessarily be the only committee that would have a legitimate claim to conduct this matter.

It has been suggested by many persons that we would be invading the rights of the Committee on the Judiciary of the House of Representatives which has shown some interest in helping to modify and correct the Lobbying Registration Act.

I have before me a letter addressed to to the Honorable JACK BROOKS, who is a member of the joint committee of the House of Representatives, which was written by the distinguished chairman of the Committee on the Judiciary in the House of Representatives, the Honorable EMANUEL CELLER. The letter reads:

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, D.C., March 7, 1967.

The Honorable JACK BROOKS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BROOKS: In response to your question about Title V of the current Legislative Reorganization Bill, I would say that, in my opinion, it is perfectly legitimate for your Joint Committee on Organization of the Congress to make recommendations for improvement of the 1946 lobbying act. Although it is true that under ordinary circumstances such proposal would be referred to the House Judiciary Committee, the special mandate contained in S. Con. Resolution 2, I feel, clearly gives the Joint Committee jurisdiction to make recommendations in this area.

I hope these remarks are helpful to you.

With best wishes, I am,

Sincerely,

EMANUEL CELLER,
Member of Congress.

Mr. President, we do not have a conflict of jurisdiction as far as the House of Representatives is concerned. We are recommending simple and direct, modifications of the act which are long past due and yet which have not been reported by any other committee of the Congress, although the need for them has existed for several years.

We are now trying to correct the deficiencies of the act after careful consideration of these defects which have caused as I have shown by statistics, a vast decline in the number of those who register and the vast amount of money which has been expended on lobbying activities.

This does not help Congress. Through all these years, the Judiciary Committee was perfectly capable, if it so desired, of introducing legislation, of conducting its own hearings, and of having legislation on the matter perhaps some 3, 4, or 5 years ago following the handing down of the Harriss decision.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. Nineteen minutes remain to the Senator from Oklahoma.

Mr. MONRONEY. Mr. President, I reserve the remainder of my time.

Mr. HRUSKA. Mr. President, I suggest the absence of a quorum, and ask that the time not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered; and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HRUSKA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MONRONEY. Mr. President, the distinguished Senator from Nebraska has more time remaining than I have. Does he wish to use any of his time?

Mr. HRUSKA. Mr. President, I have no requests for time.

Mr. COTTON. Mr. President, I would like to have about 5 minutes.

Mr. HRUSKA. I yield 5 minutes to the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. COTTON. Mr. President, I have one point. Although I am not raising it for action at this time, it has seemed to me, in view of a recommendation made to this Congress by the Committee on Reorganization, that has to do with control or regulation of lobbying activities, we should start to think about one Federal statute that is now mostly honored in the breach. If it is not enforced—and I am not at all sure that it should be enforced—it should be eradicated from the books. I refer to the United States Code, title 18, "Crimes and Criminal Procedure," section 1913, "Lobbying With Appropriated Moneys." I read that section:

No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

Whoever, being an officer or employee of the United States or of any department or agency thereof, violates or attempts to violate this section, shall be fined not more than $500 or imprisoned not more than one year, or both; and after notice and hearing by the superior officer vested with the power of removing him, shall be removed from office or employment.

Mr. President, that means that department heads and other official members of the executive department may quite properly make any request of the Congress for legislation that they wish, and that, of course, committees—as we always do—may call for opinions or reports on proposed legislation. But it was also clearly intended to raise a bar to having employees or members of the executive branch come to the Hill and travel the offices or call Members from the floor to lobby for various measures in which the executive departments, or in which they, may be interested.

I am not sure that is a necessary statute. I am not sure that we in the legislative branch should put ourselves in an ivory tower and say that people and employees downtown, or from our States, should not be perfectly free to come and talk to a Senator. I do not think there are any Senators who are so weak-kneed as to be swayed, although they may be somewhat pestered and annoyed.

As a member of the committee of which the distinguished Senator from Oklahoma [Mr. MONRONEY] is also a member, the Commerce Committee, I remember we had a rather controversial bill on the floor last year, the truth-in-packaging bill. I remember that a very charming

and nice lady, head of the agency handling this matter, was posted in the reception room to talk to Senators about various amendments.

I am sure she did it with the best of intentions. Others do this too, and I think she did it with the welfare of the country at heart. I am sure she was not aware of this statute. However, if we are going to keep this statute on the books, it should be observed. If it is not to be observed, I think, in the interest of reorganization, it should be repealed and stricken from the books.

I raise the question. I am not trying to challenge or annoy my friend from Oklahoma, who has done a magnificent job, and for whose bill I am going to vote. But I wonder if this question was considered.

When we are attacking the whole proposition of regulating lobbying activities, I wonder if we should not take a careful "look-see" again at the question of the lobbying activities of members of the executive departments and agencies, and decide whether or not we want this statute to be continued and to be enforced. We should decide whether we want to relax it to make it more practical, or whether we want to repeal it. I do not think we are handling the situation until we handle that problem. That is one thing which, perhaps among many others, should be given careful attention by the Committee on the Judiciary.

I thank the Senator for yielding. I reserve the remainder of my time.

Mr. MONRONEY. Mr. President, the distinguished Senator from West Virginia [Mr. BYRD] has two or three questions to raise which I think may amplify the record. To further clarify the intent of Congress, I ask that he may have the opportunity to ask the questions and to have them answered.

Mr. BYRD of West Virginia. Mr. President, I thank the Senator from Oklahoma for yielding to me.

Title III of the Legislative Reorganization Act of 1946 is essentially a criminal statute. How many convictions have there been under this statute?

Mr. MONRONEY. There have been three convictions. Several years ago, following the Harriss case, the Justice Department stopped making any efforts at enforcement because of the feeling that the Harriss case had left the door wide open because of the word "principally." It was felt it would be impossible to enforce the act, and that only those who were principally engaged in lobbying activities were required to register.

Mr. BYRD of West Virginia. With respect to those large gaps that were brought to light in the Harriss decision, the Court held that the act only applied to groups or persons who solicit, collect, or receive contributions.

What does the act, as we are considering it today, do to clarify that matter?

Mr. MONRONEY. We make no changes with respect to those who spent their own funds. This is an effort to require the registration, and thus the disclosure, of funds paid to professional lobbyists for their efforts in behalf of or against legislation, or general representation of special interests on matters that may or may not be then pending before Congress.

Mr. BYRD of West Virginia. So those groups or individuals who spend their own money, who do not solicit or collect money, will not be covered under the legislation being considered today; is that correct?

Mr. MONRONEY. That is correct. We want to know what amounts are being paid, to whom payment is being made, and for what purposes the money is being used. That is the only purpose of the Lobby Registration Act.

We do not say they cannot raise such funds. We do not say that they cannot maintain offices here, to publicize and to use all honest means to advocate the passage of defeat of legislation, or for the cultivation of support for legislation, if their activities are reported.

Mr. BYRD of West Virginia. The Court held that the act applied only to persons who solicited, collected, or received contributions for the main or principal purpose of influencing the passage or defeat of legislation, and that only such persons would be required to register.

Mr. MONRONEY. That is correct.

Mr. BYRD of West Virginia. What does the legislation before us require in that regard? I refer to the "principal purpose" test.

Mr. MONRONEY. This is one of the most important parts of the amendment: to make it possible to secure information from more than a minimum of those who are engaged in lobbying; because the 1946 act has the qualification of "principal purpose." The McClellan committee, after long and careful study of the "principal purpose" test, commented—their comment is so clear in this regard that I think it should be reiterated—as follows:

> The "principal purpose" interpretation is almost universally regarded by students of the subject as erroneous and in conflict with the intent of the La Follette-Monroney committee. The provision, however, has been seized upon by groups which most people would consider as being extremely influential in the area of legislative activity, as an excuse for exemption from the act. Some of them have, on advice of counsel, refused to register and others, protesting that they are not engaged in lobbying and are not properly under the act, have registered more or less under protest. Scholars have generally urged that "substantial" or "significant" be substituted for "principal purpose" as a test of applicability, with administrative rulings provided to determine whether the statute is intended to encompass particular situations.

For that reason, we have changed the provision from "principal" to "substantial" purpose. We feel that that is a term well understood and widely used in Federal statutes, and that with its use, the Court's interpretation would require those who are not now required to register—because more than 50 percent of their activities do not involve lobbying activities—who engage in a considerable amount of lobbying activity as a part of their objective, to register.

Mr. BYRD of West Virginia. The Court held, under the Harriss decision, that only those groups or persons who attempted to influence the passage or defeat of legislation through direct communication with Members of Congress would be covered.

Does the legislation before us today clearly define the area of communication? Does it, for example, include mere informational contacts with Members of Congress?

Mr. MONRONEY. The Court's decision in this regard involved a distinction between directly and indirectly seeking to lobby. There is a very hazy and very tenuous area—we call it grassroots lobbying—where a man might be paid a certain fee for making a speech to a club, or to advocate the passage of legislation before a Farm Bureau meeting, or something of that nature. That is secondary lobbying, and the Court held that that was not properly covered by the act, and limited the application of the act to "directly."

That means, then, that we will not be engaging in trying to regulate a vast area of chamber of commerce activity, promotion of public dams, or many other things that would be very difficult—in fact impossible—to control with lobby registration.

Mr. BYRD of West Virginia. What, if anything, does S. 355 say in further clarification of this point?

Mr. MONRONEY. Because we do not elaborate further on it, the Supreme Court decision in the Harriss case stands as the law; and it is limited, of course, to direct lobbying.

Mr. BYRD of West Virginia. One of the principal objections to the 1946 act, as it related to lobbying, was with regard to the administration of the act. While the Department of Justice would prosecute, it was given no mandate to investigate.

Under the act we are considering today, what agency will be given the mandate to investigate?

Mr. MONRONEY. This is a very important part of the act. The administration actually is what we are talking about, because the task was put on the Secretary of the Senate and the Clerk of the House, neither of whom had facilities or the staff, or were given any power, in the first act, to prescribe the format for registration, or the type of information that would be required or sought in the registration of lobby expenses. The lack of facilities at the Capitol made it difficult for the press or for individuals coming in to look up these filings, and made impossible wide dissemination of this information, which is so valuable if you are going to make a Lobby Registration Act effective and shed the light of day as to what goes on in lobbying activities by requiring complete disclosure.

Therefore, we would transfer this function to the Comptroller General, who acts as an agent of Congress, replacing the Secretary of the Senate and the Clerk of the House, in receiving these reports. We give him power to prescribe the format of the registration, that is, what information will be sought which he deems to be important; and to recommend, if he finds evidence of evasion, to the Department of Justice that they investigate a particular case. Where it is suspected that reports are inaccurate or dishonest, or fail to reveal the extent and

nature of the lobbying activity, he can call on the Department of Justice, and they will investigate and determine whether charges under the act shall be brought against the people in question.

Mr. BYRD of West Virginia. The Senator says "where it is suspected." By whom?

Mr. MONRONEY. By the Comptroller General, who would have the right to submit to the Department of Justice, whatever evidence he might have of evasion which the Department would take up de novo and determine whether it is worthy of investigation and prosecution.

Mr. BYRD of West Virginia. Then the Comptroller General would be empowered to investigate?

Mr. MONRONEY. He would be empowered to investigate what he believes to be evidence of the evasion of the purposes of the act.

Mr. BYRD of West Virginia. The Department of Justice would still prosecute?

Mr. MONRONEY. It would have all the responsibility from then on. It is not an indictment. It is not a charge. It is not the filing of legal information as such on which prosecution would be based. It would have to be found by the Department of Justice to be worthy of that action.

Mr. BYRD of West Virginia. Under the present law, each registrant is the judge of the amount he will file. What would the pending provision provide?

Mr. MONRONEY. He would also be the judge of whether he were to file at all, as the case may be. As I have tried to point out, since the first local court cases were had in this matter—and it was apparently a Supreme Court decision, to which court the case finally worked its way through the lower courts—the number of registrants has decreased by more than half.

Significantly, the amount of money being spent and reported before those cases was over $10 million. That amount has decreased to the extent that approximately $4 million is being reported as having been spent. Does anybody think there is less expensive lobbying going on at the present time than there was in 1950?

Mr. BYRD of West Virginia. How would this be corrected under the provisions of S. 355?

Mr. MONRONEY. In S. 355, because of our substitution of "substantially engaged," these men will not then be able to use as an excuse the fact that they are not principally engaged in lobbying activities, which generally means that it is not a majority of its activity.

The major step would be regularizing registrations by making the registrant either file the amount of his contribution or expenses applicable for lobbying purposes or, if that cannot be ascertained with reasonable certainty, he can file total receipts for expenditures with an estimate as to the amount allocable to lobbying activities.

This will enable him, where he cannot separate them, to say that he did receive x dollars and to estimate that, for example, 30 percent of this was spent in behalf of lobbying activities.

Mr. HRUSKA. I suggest that if the Senator from Oklahoma would like to, he may use 5 or 10 minutes for a closing statement and I would then follow him. I have no request for time.

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

Mr. MONRONEY. I yield.

Mr. ERVIN. Mr. President, a great many lawyers receive retainers from clients, and their clients come in occasionally and ask them to write or contact a Senator or Representative either in favor of or against a proposed piece of legislation. The lawyer complies with that request, and, of course, he is attempting to influence legislation. Does the lawyer have to register as a lobbyist and file a report?

Mr. MONRONEY. I think it would depend on whether he was writing to 500 Representatives and Senators and was engaged in substantial activities in behalf of legislation. That is the test—"substantial."

I believe that "substantial" is a rather clearly understood term in the courts.

If an attorney were merely advising his client or writing a letter to a single Member of Congress, he would not be under this provision. If his action involved a group of clients, on many matters, he would not be under the provision. However, it would seem to me that if he did engage in widespread activities, he should then register.

The provision would not prevent him from writing a letter. Incidentally, whatever legal work an attorney does in drafting bills or in helping to prepare a statement for his client's appearance before a committee certainly is not, by specific exemption, lobbying activities.

Mr. ERVIN. The thing that worries me about it concerns how one is to know what is going to be construed as being substantial. While that is a very substantial word, it is very insubstantial in its precise meaning.

I came up here once as a practicing lawyer one day to lobby for one bill. My sole objective was to contact the North Carolina delegation in the House.

I was uncertain about the meaning of the lobbying law and did not want to get into Alcatraz or any like institutions. So, I registered as a lobbyist and filed a report concerning everything I received in connection with the matter. I was here 1 day only.

It took about 5 years to stop the Justice Department from demanding every 3 months that I file additional reports as a lobbyist despite the fact that I lobbied for 1 day only concerning only one bill and make immediate and complete reports concerning my lobbying activity.

I hope that it will not be as difficult to interpret the provisions in the pending bill as it was to interpret the 1946 act.

I will go along with the Senator from Oklahoma on most provisions of the pending bill, but I do have a feeling with regard to this particular provision that it is somewhat out of line with the main objectives of the bill.

The objectives of the bill are to regulate the internal affairs of Congress. I think the Senator deserves great credit for what he has done in this respect. However, with relation to this provision, the Senate would, in effect, be regulating, not the internal affairs of Congress, but the relationship between Congress and the general public. That is a very precious kind of relationship. Certainly if one appeals to Congress, even through a lobbyist, he is exercising his right for a redress of a grievance under the first amendment.

Mr. MONRONEY. I think the Senator is correct on that. However, after all, the public and Congress are entitled to know that the urging of our vote for this or that legislation is the result of money paid to a professional lobbyist to solicit those votes.

We must have a way to discriminate between those who work professionally to have legislation passed and those who represent the forces of an orderly democracy in the belief that it is in a good cause. We do not prohibit this practice.

There is no test of faith or anything else with relation to the registration of lobbyists.

Everyone, come one and come all, who is lobbying must register. All he has to do is to reveal the money that he is receiving or spending.

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

Mr. ERVIN. I am sorry that I trespassed on the time of the Senator.

Mr. MONRONEY. Mr. President, may I be granted 1 additional minute?

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

Mr. MONRONEY. Certainly, as the distinguished Senator from Nebraska has said, quoting Justice Jackson:

> After all, it is Congress who should know from experience both the good and the right of petition and the evils of professional lobbying.

It is our job to identify the money that is spent to pass bills. It is our job to turn the daylight on the money that is being spent. This would be good legislative procedure.

We are asking that the filing be made public as to the amount that is spent and by whom it is spent to influence special legislation.

Title V deserves better consideration by the Senate than to have it removed from the bill, which it would be on the tenuous hope that the Committee on the Judiciary, which may not even be the committee which would have jurisdiction over lobbying activities—work in the interest of corrective legislation.

The pending bill corrects it. It corrects the faults that have arisen from past practice.

Mr. HRUSKA. Mr. President, I yield myself 5 minutes.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. HRUSKA. I yield, by all means; and I should like to comment, after the Senator has asked his question, on one of the earlier questions asked by the Senator.

Mr. ERVIN. My question is: If we deleted this provision from the bill, the 1946 act would remain law, would it not?

Mr. HRUSKA. By all means.

Mr. ERVIN. Then any Senator interested could introduce a bill like this to amend the 1946 act, and the Committee on the Judiciary could conduct full hearings on it.

Mr. HRUSKA. That part of the 1946 act which has not been nullified by the Supreme Court in the Harriss case, would still remain the law of the land.

The Senator from North Carolina asked earlier whether a lawyer who came here and contacted a Member of Congress would come within the terms of this act. There is no way of telling whether he would or would not, because the Comptroller General will issue rules and regulations. A violation of those rules and regulations will be punishable by a criminal penalty although the Comptroller General is not subject to the Administrative Procedure Act. So the public will not participate in the making of those rules and regulations.

I do not know the answer to the Senator's question, whether or not a specific act would be included, and I would not be able to answer it.

The 1946 act provides that any direct or indirect influencing of legislation comes within its terms. Then the Supreme Court struck out bodily every indirect means of influencing legislation—all of it.

The Court limited the proscribed conduct to direct communication with Congress for the purpose of influencing legislation. I read from the dissent of Justice Douglas that the words "direct communication with Congress" are not in the act. The Court not only strikes out one whole group of activities to influence indirectly, but also substitutes a new concept for the remaining group of activities.

The point is that the amendments contained in title V do not go to the real deficiency in the law as it exists after the Harriss case. What is it that consists of direct or indirect influencing of legislation? We can say "principally"; we can say "substantially"; we can leave this with the Comptroller General. It still does not answer that question and thus provide what is necessary for the Department of Justice to do its job.

Therefore, it seems to me that we should await the time when we can consider in the Senate a bill that will be processed in the regular way. This bill was not.

For the information of Senators who are for the first time hearing arguments on this matter, not a single word of testimony was given on title V after its formulation. We do not know how the Attorney General feels about it. We do not know how the Comptroller General feels about it. We do not know how the public feels about it.

It is said that it is up to Congress to act. Mr. President, it is not Congress that speaks when a select committee of 12 Members of Congress proposes something to Congress in this form, and it is then said: "You have to do something about it." It is not legislating—particularly when we abdicate that part of our legislative duties—such a vast part—to the Comptroller General—to say, "You make the rules and regulations," and if they are violated, a criminal penalty is involved.

One of the best principles of legislating—particularly where we deal with criminal statutes and those heavily permeated with constitutional considerations—is that Congress will specify the actions the violations of which will be punishable by criminal penalties.

So I repeat that we should await the time when we can properly process this matter. Certainly we should await the President's message on this subject. It is in process of preparation and will reach us shortly. We may not wish to adopt the Presidential proposal, but we should use it as a base for passing legislation that will be worthwhile and will mean something.

I yield to the Senator from Illinois for 3 minutes.

Mr. DIRKSEN. Mr. President, I trust that the amendment of the distinguished senior Senator from Nebraska will be adopted. As he has pointed out, the Attorney General is going to enforce this statute with a penalty of up to $5,000 and a year in jail, or both. Yet, the Attorney General has not been consulted, which is certainly strange.

There was one witness—only one—and he was the publisher or editor of Congressional Quarterly. I do not know whether he is an attorney. So, there is little testimony—not much—on this subject.

If we are going to do a job, let us do it right. Let us take this provision out of the bill. The old statute is still in effect. Nobody has to be worried about that. This matter can be approached in a number of ways.

No. 1, what about the Foreign Agents Registration Act? We have talked about modifying it. All right, let us do something about it. Then legislative lobbying that takes place here. What about lobbying in the executive branch, which dispenses hundreds of billions of dollars? That is where the money is whacked up—down at the other end of the Avenue. If you want to get yourself a fistful of money, do not come to Congress. We do not have it. Go to one of the agencies or one of the bureaus.

Twenty-four secondary education institutions—meaning colleges and universities—keep a full-time man in Washington to make sure that they get in on the gravy train for grants-in-aid. What about that lobbying? It is not touched in the bill at all.

We have a statute against lobbying by governmental bureaus. I have never seen it enforced. I have never seen it invoked.

Let us make a package of the bill by including foreign agents registration, lobbying by Government agents or bureaus, legislative lobbying here, lobbying in the executive branch. Let us do the thing right.

Also, we can have experts come in to testify. Then, of course, we would want the Attorney General, because if he is going to enforce the act, he ought to know what we are asking him to enforce and what the intention of Congress really is.

So do not be dismayed that we will be without a lobby title, because the one that we tinkered up 21 years ago is still going to be the law of the land. As a matter of fact, I had a hand in putting that together. I was not very proud of it. But I can tell you that we had difficulty in the selection of words to convey the intent that we had in mind. To indicate how signally we failed—or succeeded—out of 20 cases, there has been one conviction in 21 years, and that was on a plea of guilty, nothing more. That is not a very good record. Let us not duplicate that record.

Simply because we put in the word "substantial" or "principal," I am not sure that they are words that will satisfy the courts in achieving proper enforcement of this act.

So the amendment that is before the Senate is not going to kill existing antilobby law. It will give us a chance to take a good look. Then we will have the President's message, and we will also have the benefit of the views of the Attorney General.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The time of the Senator from Illinois has expired.

Mr. HRUSKA. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HRUSKA. If it is agreeable with the Senator from Oklahoma, I am willing to yield him up to 10 minutes. I shall not take more than 5 or 6 minutes to summarize, after he is through, and then we will be ready to vote.

Mr. MONRONEY. We have a good deal of time on our side. Will the Senator go ahead and summarize? Then I should like about 2 minutes to summarize.

Mr. HRUSKA. I have no more requests for time.

Mr. MONRONEY. Is the Senator prepared to use some of his time? Then I will use 2 minutes to summarize.

Mr. HRUSKA. I shall not use more than 5 minutes. I shall be happy to yield 10 minutes to the Senator from Oklahoma, if he wishes.

Mr. MONRONEY. I have time remaining on the bill.

Mr. HRUSKA. I wish to reserve enough time for my final summarizing statement.

Mr. MONRONEY. I yield myself 2 minutes on the bill.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time not be charged to either side.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? The Chair hears none, and it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. HRUSKA. Mr. President, I yield 3 minutes to the Senator from Michigan [Mr. GRIFFIN].

Mr. GRIFFIN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GRIFFIN. Mr. President, I have an amendment which would be in the nature of a perfecting amendment. Would this be the appropriate time to

offer it, or should I wait until the time has expired on the pending amendment?

The PRESIDING OFFICER. The perfecting amendment cannot be offered until the senior Senator from Nebraska has used all of his time on the pending amendment.

Mr. HRUSKA. Mr. President, I relinquish the remainder of my time on my amendment.

The PRESIDING OFFICER. The Senator from Michigan may now offer his amendment.

Mr. GRIFFIN. Mr. President, I have an amendment at the desk in the nature of a perfecting amendment, and I ask that it be stated.

The PRESIDING OFFICER. The amendment in the nature of a perfecting amendment will be stated.

The legislative clerk read as follows:

On page 118, strike out line 9 and all that follows down to and including line 18, page 124, and substitute in lieu thereof the following:

"SEC. 501. It is hereby declared to be the sense of the Congress—

"(a) that the existing Federal Regulation of Lobbying Act is for the most part inadequate and ineffective;

"(b) that proposed amendments to that Act should be carefully considered by appropriate committees of the Congress after hearings which afford the Attorney General of the United States and other interested parties an opportunity to present their views and recommendations;

"(c) that the Committee on the Judiciary is designated as the appropriate committee in each House to initiate a review and study of such Act with a view toward recommending amendments at the earliest practicable date which will make the Act more adequate and effective in its operation."

Mr. HOLLAND. Mr. President, will the Senator yield to me for a parliamentary inquiry?

Mr. GRIFFIN. I yield.

Mr. HOLLAND. Mr. President, is this proposed amendment a substitute to the pending amendment offered by the Senator from Nebraska?

The PRESIDING OFFICER. It is for the purpose of perfecting language in the bill before the Senate votes as to whether to strike the entire lobbying section.

Mr. HOLLAND. I thank the Senator.

Mr. HRUSKA. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. GRIFFIN. I yield.

Mr. HRUSKA. Mr. President, the parliamentary inquiry is: May the Senator from Nebraska accept this amendment and make it a part of his amendment, as modified?

The PRESIDING OFFICER. The Chair will say that it would require some modification in the amendment offered by the Senator from Nebraska [Mr. HRUSKA] in order to accomplish the end of the Senator from Nebraska. It would require unanimous consent.

Mr. HRUSKA. Mr. President, unanimous consent to make the modifications or accept the amendment?

The PRESIDING OFFICER. The yeas and nays have been ordered on the amendment of the Senator from Nebraska. Therefore, it would require unanimous consent to modify the Senator's amendment.

Mr. HRUSKA. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HRUSKA. If unanimous consent were given to withdraw the yeas and nays, would the procedure be facilitated?

The PRESIDING OFFICER. If that were done, the Senator from Nebraska could make the modification accordingly.

Mr. HRUSKA. Mr. President, I ask unanimous consent that the order for the yeas and nays be rescinded for the purposes indicated.

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

Mr. MONRONEY. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator from Oklahoma will state it.

Mr. MONRONEY. The amendment before the Senate provides in section (c):

That the Committee on the Judiciary is designated as the appropriate committee in each House to initiate a review and study of such Act with a view toward recommending amendments at the earliest practicable date which will make the Act more adequate and effective in its operation.

It seems to me that there may be more precedent on the side of other committees having jurisdiction of such matters as lobbying legislation. More recently the Committee on Government Operations has had that jurisdiction.

My parliamentary inquiry is: Can Congress, by incorporating this direction to refer the bill in the legislation, control its referral?

Mr. GRIFFIN. Mr. President, if I may be heard on the point of order——

The PRESIDING OFFICER. The point of order under Senate precedents is not in order until the proponent has used his time under the unanimous consent agreement.

Mr. MONRONEY. I will reserve my parliamentary inquiry to the point of order later.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. GRIFFIN. Mr. President, by way of explanation, I should like to point out that my amendment would strike out everything in title V except reference to the title itself and would insert new language.

I also invite attention to the fact that the copy of the amendment at the desk, as read by the clerk, has been changed only slightly from the copy on the desk of each Senator. In subparagraph (a), following the language "that the existing Federal Regulation of Lobbying Act is," the words "for the most part" have been inserted.

This addition recognizes that there is some effectiveness in the existing law.

Furthermore, in subparagraph (c), as it now lies at the desk, the words "at the earliest practicable date" have been inserted in the next to the last line following the words "recommending amendments," indicating the intent and the direction of this body that the Committee on the Judiciary should act expeditiously.

Mr. President, I offer this amendment because I have mixed feelings concerning the amendment offered by the distinguished Senator from Nebraska [Mr. HRUSKA] to strike out title V. He makes a persuasive case, in many respects.

As a lawyer, I share his concern about several points which he has raised about title V of the pending bill. Surely, it is a fundamental principle of constitutional law that the legislative branch of the Government should not delegate legislative authority. Yet, the legislation proposed in title V would, in fact, delegate to the Comptroller General the authority to promulgate regulations which in effect, would have the standing of a criminal statute because a violation of the regulations would constitute a crime.

Furthermore, I am disturbed by the fact that the Comptroller General, under the proposed legislation, would not be subject to the Administrative Procedure Act; there would be no notice of hearings or hearings at which interested members of the public, the Attorney General, or others would have an opportunity to appear and testify or submit their recommendations concerning regulations to be promulgated by the Comptroller General.

This, indeed, is a strange and unique way to legislate criminal law—for Congress to duck its responsibility to revise the lobbying act by delegating responsibility to the Comptroller General, and then exempting him from the Administrative Procedure Act.

Aside from the principle that legislative power should not be delegated, we should also take notice of the fundamental constitutional principle that the people are entitled to notice as to what will be a crime. It is very difficult, looking at the language as proposed in the pending bill, for anyone to determine what will be a crime.

"Substantial" is a word that means different things to different people. The Comptroller General, presumably, would define what the word "substantial" means in this particular legislation, but he would be able to do so without any hearings.

Although we can do so, of course, I think it would be unwise for the Senate to adopt title V when we have been served with notice by the administration that it has recommendations to make in this particular area. The administration has served notice that it wants to submit proposed legislation to revise this particular act. It seems that the least we could do would be to wait and consider those recommendations, and to consider the views and recommendations of the Attorney General, who has had some experience with the existing act which is more or less unenforceable. The Attorney General should have some expertise and advice which would be of interest and value in making sure that a revision of the act could be enforced in the future.

I am persuaded by these particular arguments and legal considerations. On the other hand, I am not very happy about the scope of the amendment of the Senator from Nebraska. It would merely strike out title V and might leave the impression that no action should be

taken. I believe something should be done about the present act.

I am concerned about the fact that the present act is ineffective and inadequate. I believe that the appropriate committees of Congress should proceed to review and study the act in an orderly way, calling in appropriate witnesses, especially the Attorney General. I understand that one of the reasons why action has not been taken earlier is that there is some confusion or disagreement as to which of the several committees in each House has jurisdiction.

Thus, in my sense-of-Congress proposal, I would make it clear that the Committee on the Judiciary in each House would be the appropriate committee to initiate and proceed with a thorough review of the act.

Since this is a criminal statute, it seems to make sense that amendments should be considered by the Committee on the Judiciary. If my amendment were adopted, we would make it clear that Congress recognizes the ineffectiveness of the present act, and that we are not satisfied with inaction. We would be laying out ground rules and providing direction for the Committee on the Judiciary in each House to proceed to initiate a study of this particular act with a view toward improving it and making it more effective and adequate.

Mr. President, with that presentation, I would hope that the Senator from Nebraska might accept my amendment to his proposal.

Mr. HRUSKA. I am happy to do so. In order to make it technically possible to do so, I change my amendment No. 120, in line 7, by striking out the figure "8" and inserting in lieu thereof the figure "9"; and in line 8, after the words "including line 18, page 124" by striking out the period and inserting in lieu thereof a comma, and adding the following:

SEC. 501. It is hereby declared to be the sense of the Congress—

(a) that the existing Federal Regulation of Lobbying Act is for the most part inadequate and ineffective;

(b) that proposed amendments to that Act should be carefully considered by appropriate committees of the Congress after hearings which afford the Attorney General of the United States and other interested parties an opportunity to present their views and recommendations;

(c) that the Committee on the Judiciary is designated as the appropriate committee in each House to initiate a review and study of such Act with a view toward recommending amendments at the earliest practicable date which will make the Act more adequate and effective in its operation.

With that change, I accept the amendment of the Senator from Michigan.

I should like to ask the Senator from Michigan if it is not true that the legislative history made on title V so far, taken as a whole, is accurately reflected in the language of his perfecting amendment. His effort here is to make, in express language, a declaration by Congress that the legislative history demonstrates we are not attempting to kill any effort to amend the present Lobbying Act of 1946. We simply ask that this subject be set aside until we are able to process whatever recommendations are made by the President to Congress, recommendations which, we have been assured by the Attorney General, will be made at an early date.

Am I correct in making that statement?

Mr. GRIFFIN. I would agree that the legislative history made has indicated that very well. I do believe the express inclusion of the language such as I have proposed in the pending bill would reinforce and strengthen that expression and make it very clear that the Senate wants something done, is expecting something to be done and is, indeed, designating the committee which is to undertake the job.

The PRESIDING OFFICER. Has the Senator modified his amendment by accepting the perfecting amendment?

Mr. HRUSKA. I have accepted the perfecting amendment as a modification, by making the change I have referred to.

The PRESIDING OFFICER. If the Senator from Nebraska has accepted the amendment, no further debate is in order on the amendment.

Mr. HRUSKA. I yield myself time on the bill.

With the 5 minutes of summary on each side, I am ready to cease my efforts at persuasion.

I ask for the yeas and nays on the amendment, as modified.

The yeas and nays were ordered.

Mr. MONRONEY. Mr. President, I yield myself 5 minutes. This amendment is virtually the same amendment, in purpose, as the one we had before. It is just a little less brutal. It is put in fancy, public-relations language to say that it is the sense of Congress that the existing law is inadequate and that it should be carefully considered by the appropriate committees.

Under this or any other language at all, it kills one of the broadest public portions of the bill. This amendment may well be the best tribute to the art of lobbying I have seen. They want to leave it as it is. They say the old statute is enough; we just will not change anything.

Does anyone doubt that the old statute is ineffective, because of the Harriss decision? We are trying to correct the ineffectiveness, as a result of the orientation given by the Supreme Court of the United States, as to what is the matter with the act.

We do not prohibit lobbying; we accept it and ask that lobbyists disclose funds being spent to influence legislation. Now some persons say we have the old statute; leave it for next year, or the year after that. Meanwhile, we shuffle papers here.

Do we or do we not want a bill to identify what is going on in lobbying activities? Do we want to wait for the President to suggest recommendations affecting something that is internal to the Congress of the United States?

It is our job to prescribe rules affecting this body and to prescribe rules affecting lobbying in this body.

We have argued that we should enact a law that is effective now, and not wait for 1 or 2 or 3 years. Any amount of applepolishing by fancy language declaring it to be the sense of Congress is not going to help a bit toward enacting effective and early legislation that is badly needed because of the Supreme Court decisions of several years ago. Certainly, it seems to me the Comptroller General, an arm and agent of the Congress, is the best person to administer the act and to report to the Department of Justice.

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

Mr. MONRONEY. I yield myself 3 additional minutes.

The Comptroller General is the best person to administer the act and to report to the Justice Department, not to prosecute, but to urge and to prescribe normal ways of obtaining information so we will know who is putting up money for what purpose.

It seems to me a poor suggestion to direct this matter to the Judiciary Committee. I repeat, the Judiciary Committee has a long, unbroken record of failure to report any legislation on lobbying activities. We have been able to go back only to the 60th Congress to obtain this information with respect to bills introduced in Congress for lobbying legislation. Bills on lobbying were introduced in the 60th, 62d, 64th, 67th, 68th, 70th, 71st, 72d, 73d, 74th, and 76th Congresses, and none of those bills were reported. I am not going beyond the record of the 76th Congress, because at that time bills were referred to the committee of the distinguished Senator from Arkansas [Mr. MCCLELLAN], the Committee on Government Operations.

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

Mr. MONRONEY. I yield.

Mr. HOLLAND. It seems to me this modified amendment is worse than the original amendment offered by the distinguished Senator from Nebraska [Mr. HRUSKA], in that at least the amendment offered by the Senator from Nebraska left existing law just as it is, without any stigma of a declaration by Congress that the present law was no good. I would hate to be an Assistant Attorney General or assistant to the Solicitor trying to use the existing law to accomplish some good with a declaration such as that contained in subsection (a) of the perfecting amendment, that Congress had declared that the existing law is inadequate and ineffective.

It seems to me the original amendment is much to be preferred to this feature in this proposed amendment, which I think would leave Congress in a very doubtful position.

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

Mr. MONRONEY. I yield myself 1 additional minute.

If we are going to kill the regulation of lobbyists, let us not wrap it up in a pretty package and do nothing; but, if we are going to do something about disclosure, let us do something about it. I think it is time to fish or cut bait. It is time to decide whether Congress is going to do something about disclosing amounts of money being spent by lobbyists to influence legislation. If we are going to do it, the time to do it is in this bill which is to reorganize Congress.

We can put in the bill a provision having a very simple purpose. If we are to enact a law which will improve the law in that regard, let us do it in this bill.

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

Mr. MONRONEY. I yield.

Mr. HOLLAND. Does not the Senator think it leaves the law in worse condition to have a blast by Congress, as contained in paragraph (a) of the pending amendment, that it thinks the present law is no good, ineffective, and inadequate?

Mr. MONRONEY. That is correct. I say let us pass it, rather than refer it to the Judiciary Committee.

Mr. HRUSKA. Mr. President, I yield myself 5 minutes on the bill.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 5 minutes.

Mr. HRUSKA. First, I comment briefly on the inquiry about the undesirability of subparagraph (a) in the amendment.

Is it an indictment of the work of Congress that we call this bill ineffective and inadequate? Heavens, no. All you have to do is read the decision in the case of United States against Harriss. The Supreme Court committed mayhem upon the act of 1946. It emasculated the act, taking out altogether indirect efforts to influence legislation, and taking out many of the acts of direct influence on legislation.

So we are not indicting ourselves.

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

Mr. HRUSKA. I yield.

Mr. HOLLAND. The Harriss decision leaves some of the direct acts of lobbying within the purview of existing law, and subject to judicial review.

Mr. HRUSKA. Indeed it does, but the 1946 act, which is the law now, will still be part of the statutes even after the amendment of the Senator from Michigan [Mr. GRIFFIN] and me is approved. It will stay on the books; it will not be hurt one whit.

Mr. President, it has been said that there have been months of hearings and bills introduced in previous Congresses. Even if no action was taken, does that warrant our passing a measure of this kind, which has had not a single word of testimony and no opportunity for hearings of any kind? There has not been any Attorney General's opinion upon the practicability of the act, and whether or not it will correct the 1946 act, as construed by the Supreme Court. There has been not one word from the Comptroller General, the bar associations, or any member of the public. Where, while it is said that the amendments contained in title V are intended to correct the present law, which has been proved to be ineffective in three respects, there is not one word which applies to the basic problem with the act as it now stands. Title V does not define what it is that constitutes directly or indirectly influencing legislation.

Are we warranted in approving title V as reported, when a basic principle of legislation has been violated in the work of the special committee itself? I refer to the delegation to the Comptroller General of the right to make rules and regulations the violation of which will be punishable by a criminal statute.

Mr. President, that is not the way to legislate.

Furthermore, highly prized constitutional rights—free speech, a free press, and the right to petition—are affected by title V. Yet no consideration has been given, and no testimony heard at any time on this vital area. I do not think this Congress would be discharging its duty if it engages in summary action on this very important issue.

I repeat, this will not kill anything. It is not an action hostile to lobbying regulation legislation. It simply involves deferring action until the President's recommendations—not the President's command, Mr. President—are received, and until we have referred the bill to the proper committees, and have called witnesses. In this way the will of Congress will have the opportunity to work in proper fashion. I urge the Senate to agree to the amendment, as modified.

Mr. President, I am prepared to yield back the remainder of my time, if the Senator from Oklahoma is prepared to yield back the remainder of his.

Mr. MONRONEY. Mr. President, I yield back the remainder of my time. Have the yeas and nays been ordered?

The PRESIDING OFFICER. All remaining time having been yielded back, the question is on agreeing to the modified amendment of the Senator from Nebraska. 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. INOUYE (when his name was called). Mr. President, on this vote I have a pair with the senior Senator from Wyoming [Mr. MCGEE]. If he were present and voting, he would "nay." If I were at liberty to vote, I would vote "yea." Therefore, I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Alaska [Mr. GRUENING], the Senator from Washington [Mr. MAGNUSON], the Senator from Wyoming [Mr. MCGEE], the Senator from Montana [Mr. METCALF], the Senator from Maine [Mr. MUSKIE], and the Senator from Rhode Island [Mr. PASTORE] are absent on official business.

I also announce that the Senator from Indiana [Mr. HARTKE], the Senator from Utah [Mr. Moss], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Alaska [Mr. GRUENING], the Senator from Indiana [Mr. HARTKE], the Senator from Montana [Mr. METCALF], the Senator from Utah [Mr. Moss], the Senator from Maine [Mr. MUSKIE], and the Senator from Rhode Island [Mr. PASTORE] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Tennessee [Mr. BAKER] and the Senator from Utah [Mr. BENNETT] are necessarily absent.

The Senator from Massachusetts [Mr. BROOKE], the Senator from Kentucky [Mr. COOPER], the Senator from Wyoming [Mr. HANSEN], and the Senator from Oregon [Mr. HATFIELD] are absent on official business.

If present and voting, the Senator from Utah [Mr. BENNETT], and the Senator from Wyoming [Mr. HANSEN] would each vote "yea."

On this vote, the Senator from Massachusetts [Mr. BROOKE] is paired with the Senator from Kentucky [Mr. COOPER]. If present and voting, the Senator from Massachusetts would vote "yea" and the Senator from Kentucky would vote "nay."

The result was announced—yeas 30, nays 53, as follows:

[No. 55 Leg.]

YEAS—30

Allott	Fong	Mundt
Carlson	Griffin	Murphy
Clark	Hart	Pearson
Cotton	Hickenlooper	Prouty
Curtis	Hruska	Scott
Dirksen	Jordan, Idaho	Smathers
Dominick	Long, La.	Thurmond
Eastland	McClellan	Tower
Ellender	Miller	Williams, N.J.
Fannin	Morton	Young, N. Dak.

NAYS—53

Aiken	Hill	Morse
Anderson	Holland	Nelson
Bayh	Hollings	Pell
Bible	Jackson	Percy
Boggs	Javits	Proxmire
Brewster	Jordan, N.C.	Randolph
Burdick	Kennedy, Mass.	Ribicoff
Byrd, Va.	Kennedy, N.Y.	Russell
Byrd, W. Va.	Kuchel	Smith
Cannon	Lausche	Spong
Case	Long, Mo.	Stennis
Church	Mansfield	Symington
Dodd	McCarthy	Talmadge
Ervin	McGovern	Tydings
Fulbright	McIntyre	Williams, Del.
Gore	Mondale	Yarborough
Harris	Monroney	Young, Ohio
Hayden	Montoya	

NOT VOTING—17

Baker	Hansen	Metcalf
Bartlett	Hartke	Moss
Bennett	Hatfield	Muskie
Brooke	Inouye	Pastore
Cooper	Magnuson	Sparkman
Gruening	McGee	

So Mr. HRUSKA's amendment, as modified, was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk an amendment on behalf of myself and the junior Senator from Maryland [Mr. TYDINGS].

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with. I can explain the amendment in a very few minutes.

The PRESIDING OFFICER. Is there objection? There being no objection, it is so ordered, and the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 86, line 13, strike out "(a)".

Beginning with line 18 on page 86, strike out through line 2 on page 87.

On page 92, after line 24, insert the following:

"CAPITOL GUIDE SERVICE

"SEC. 424. (a) When used in this section, unless the context indicates otherwise—

"(1) the term 'Service' means the Capitol Guide Service created by subsection (b);

"(2) the term 'Board' means the Board created by subsection (b);

"(3) the term 'guide' means any member of the Capitol Guide Service; and

"(4) the term 'building' means the United States Capitol Building.

"(b) There is hereby created an organization, to be known as the Capitol Guide Service, which shall be under the supervision of a board consisting of the Architect of the Capitol, the Sergeant at Arms of the Senate, and the Sergeant at Arms of the House of Representatives.

"(c) It shall be the duty of the Service, under regulations promulgated by the Board, to furnish free guide services to any person desiring to view the interior of the building. The Service shall consist of a chief guide who shall receive gross compensation at the rate of $9,800 per annum, and not less than ten, nor more than twenty guides who shall each receive gross compensation at the rate of $7,200 per annum. Appointments to and removals from the Service shall be made by the Board. Appointees to the Service shall be chosen solely upon the basis of the special qualifications which fit them for the duties to be performed.

"(d) The Board shall make and promulgate the regulations necessary for the operation of the Service. Such regulations shall cover the schedules and routings of tours through the building, the oral informative data to be supplied to the public, the personal conduct of members of the Service when on duty, the uniforms and insignia for the Service, and such other phases of the work as in its judgment may be necessary.

"(e) No guide shall make any charge for his official services, nor accept any gratuity nor shall he, in the course of official duty, speak in praise or censure of any person. Any violation of the provisions of this subsection shall be punished by immediate dismissal.

"(f) The headquarters of the Service shall be maintained in the rotunda of the building, and a guide shall be on duty there at all times during the hours the building is open to the public.

"(g) The necessary expenses incident to the establishment and maintenance of the Service, including uniforms and insignia for each guide, shall be paid from the contingent fund of the House of Representatives on vouchers approved by the Board.

"(h) The Board may detail any guide to supplement the Capitol Police when special occasions in the building or on the Capitol Grounds require additional police and the performance of the regular duties of the Service are temporarily suspended by such occasion."

On page 3, in the table of contents, after item 423 insert the following new item:
"Sec. 424. Capitol Guide Service."

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 5 minutes.

Mr. WILLIAMS of Delaware. The purpose of the amendment is to provide free guide service for schoolchildren and other tourists who visit the U.S. Capitol.

I have done a considerable amount of checking on this matter, and it seems that we are about the only country in the Western World that charges its constituents, and particularly the schoolchildren, for the privilege of visiting the Capitol of the country.

Thousands of children come here from the various States every year. These schoolchildren in order to secure guide service have to pay 15 cents apiece to tour the Nation's Capitol. Other tourists have to pay 25 cents.

These people can visit the White House, the museums, the FBI building, and any other Government building in Washington free of charge; however, if they want to visit the Capitol and see Congress in session they must pay for that visit.

I think the very least that we can do is to provide guide service so that schoolchildren and other tourists can get a free tour of the Capitol.

The pending bill provides that the service shall consist of a chief guide who shall receive gross compensation at the rate of $9,800 per year, and not less than 10 nor more than 20 guides who shall receive gross compensation at the rate of $7,200.

These compensation rates have been set in line with approximately a half dozen bills that have been introduced in Congress on matters dealing with the same subject. The other bills carried a lower salary rate when they were introduced 2 years ago; however, the increase is to adjust them to the last Salary Act.

The amendment would provide free guide service to those schoolchildren and other tourists who visit the Capitol. I think it is something that we should do. It is long overdue.

Schoolchildren and other people should be encouraged to visit the Capitol, and we should welcome them to the fullest possible extent.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. MORTON. We receive $30,000 a year. Is it not worth 15 cents to see us?

Mr. WILLIAMS of Delaware. I doubt it.

Mr. MORTON. I doubt it, too.

Mr. WILLIAMS of Delaware. That is one of the most convincing arguments that could be made for the amendment.

Mr. MORTON. I will vote for it.

Mr. MONRONEY. Mr. President, I am in complete sympathy with the idea of not charging schoolchildren or other tourists to see the Nation's Capitol. I have long advocated such action.

This question consumed a great deal of time, I assure the Senator in the joint committee. We worked on the matter and found it quite difficult to get the House and Senate together.

In the course of the discussion, we went over the need to have one joint committee that would have as one of its principal duties the joint operation of the Capitol and the facilities of the Capitol instead of having two separate principalities, one on one side and one on the other.

So, we created in the bill, which we hope is near passage, a Joint Committee on Congressional Operations. It is our intent in the pending bill that matters such as this, which affect both Houses, the housekeeping of the Capitol, and many other things should be the concern of this joint committee.

It is in the bill, and I am certain, because of the keen interest on both sides, that the guide question will be heard by this committee.

Many features must be thrashed out. For example, our present guides need to be converted, I believe, under this amendment, to Government service and given the advantage of the retirement benefits and health benefits that go with Federal employment. Many things would be necessary. I am certain that is a matter that the committee would take up when this bill is passed.

For that reason, I urge the Senator not to insist on his amendment. I am certain that the joint committee, which we are creating for this purpose and for other questions that need joint consideration, would take care of these things once the committee is underway.

Mr. WILLIAMS of Delaware. I appreciate the position of the Senator from Oklahoma, but I do not believe that this matter needs further study. It is a simple question. Do we or do we not wish to furnish free guide service for the schoolchildren and the tourists who visit the Capitol?

This proposal has been before the Senate at least for the last 6 or 8 years, because I have sponsored it in each Congress and have been able to get nowhere with it. It has always been postponed until "tomorrow." Well, tomorrow has arrived, and I believe that we should vote for it. We are voting on a bill now, which I shall support, to reorganize both the House and the Senate. Certainly this is an appropriate vehicle.

I should like to see the Senate adopt the amendment because it is ridiculous that the United States of America, which is supposed to be one of the richest and greatest nations, should charge schoolchildren to visit the Nation's Capitol to see Congress in session.

I do not wish to create the impression that the present guide service is not doing an excellent job. They are doing an excellent job. This is no reflection at all on their service. The members of the guide service should be given priority, naturally, in the new jobs that would be created. They would automatically become Government employees, subject to the control of Congress, and they would be entitled to all the benefits of a Government employee.

Mr. COTTON. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS of Delaware. I yield.

Mr. COTTON. In the Senator's brief explanation of his amendment, I did not quite catch this aspect—it may have escaped me: Does the Senator's amendment provide by whom the chief guide and other guides would be appointed; who, if anybody, would have control over them, and how, if it should become necessary, they would be severed from their jobs?

Mr. WILLIAMS of Delaware. This amendment would create an organization to be known as the Capitol Guide Service, which would be under the supervision of a board consisting of the Architect of the Capitol, the Sergeant at Arms of the Senate, and the Sergeant at Arms of the House of Representatives. That is the same board that now has control over the existing guide service. Of course, both the House and the Senate elect their respective Sergeant at Arms. So we would have control over the operations.

The amendment provides restrictions: that the guides could not engage in political activities or propaganda in the

course of their guiding tours. I will say that guides, as they act now, are very discreet on that point. I compliment the guides on the job they are doing. This amendment is not in criticism.

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

Mr. WILLIAMS of Delaware. I ask unanimous consent that I may proceed for 5 additional minutes.

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

Mr. WILLIAMS of Delaware. The proposed amendment is not offered as criticism of the existing service. It is a question of whether or not we wish to face this problem and let the taxpayers pay for the guide service, or whether we wish to continue to levy this charge against the various tourists and schools that visit the Nation's Capitol. I believe that it would be better to pay the fee out of the contingent fund of the Senate.

I urge the adoption of the amendment.

Mr. MONRONEY. Mr. President, I regret the necessity of opposing this amendment, because I have long spoken for the free guide service for our visitors at the Capitol.

I do not believe that it would be proper to create this system in the closing hours of the consideration of this bill, which has some 100 other items in it, and ignore many essential facts involved in setting up a new service.

For example, I see no place in the amendment providing for coverage of these guides with respect to health insurance programs or retirement credits for past services or how much they should pay to acquire these benefits. Certainly, we wish to protect these people, and we want to be sure that they are properly supervised.

We have provided in the bill for a Joint Committee on Congressional Operations, which would be given a number of duties affecting both Houses of Congress. But the proposed amendment would put the guide service under the direction and supervision of a board consisting of the Architect of the Capitol, the Sergeant at Arms of the Senate and the Sergeant at Arms of the House of Representatives. I believe that it would be better to move forward with the joint committee which we are proposing, rather than to turn anything else over to the employed personnel officials of the Senate.

This matter will be taken up by the new committee.

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

Mr. MONRONEY. I yield to my distinguished colleague, the Senator from South Dakota, who I believe is the author of the section in the bill providing for the joint committee.

Mr. MUNDT. The Senator is correct.

I say to the Senator from Delaware that I recall that there was general and I believe unanimous feeling in our joint committee that steps should be taken to remove the charges that schoolchildren must pay for guide service. The reason why we did not come up with some specific recommendation in that area is that we established the Joint Committee on the Operation of Congress; and once you remove the fees paid for guide service, you cannot stop there. You must proceed to determine, as the Senator from New Hampshire has indicated, how the guides are to be selected, how they are to be reimbursed, and what kind of status they should have with respect to the ancillary benefits that other Senate employees have with respect to insurance and tenure.

It is complicated to write these matters out in sufficient detail in this kind of measure. We have established the committee to do this. I do not believe that a single member of the committee, on either side of the aisle, wished to proceed with the matter as it is now, but they believed that the appropriate way to resolve the matter would be in such a manner that all Senators would have an opportunity to vote on the proposal when it came before them, to decide upon a method of eliminating the charge and providing for a guide service which would appropriately fit in with the employment and salary schedules prevailing generally on Capitol Hill.

Mr. WILLIAMS of Delaware. I yield myself 3 minutes.

The argument has been made that the proposed amendment should not be adopted because it would delegate to the Architect of the Capitol, the Sergeant at Arms of the Senate, and the Sergeant at Arms of the House of Representatives, the responsibility to select these guides. Who is selecting them today? The Architect of the Capitol, the Sergeant at Arms of the Senate, and the Sergeant at Arms of the House of Representatives are selecting them today. If you are not satisfied with what they are doing today, say so. This amendment would not change the method of control of the guide service.

As to the fact that these guides should, at the same time, be given civil service retirement benefits and the status of Government employees, there is nothing complicated about that. My amendment would give them civil service status, would make them Government employees, and would make them eligible for the benefits of the retirement system as extended to all other Government employees. These retirement benefits would not be extended to the guide service retroactively. Why should they be? Members of the guide service have not been paying into the retirement fund. The amendment would only put them under the retirement fund from the day that the bill becomes effective and they become Government employees: they would then automatically be entitled to all the benefits of other Government employees.

I believe that this is a simple matter. Do we want it, or do we want to postpone it and talk about it for another 3 to 5 years, as we have been doing for the past 5 years?

I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. I am willing to yield back the remainder of my time.

Mr. MONRONEY. I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time has been yielded back.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Alaska [Mr. GRUENING], the Senator from Washington [Mr. MAGNUSON], the Senator from Wyoming [Mr. MCGEE], the Senator from Montana [Mr. METCALF], the Senator from Maine [Mr. MUSKIE], and the Senator from Rhode Island [Mr. PASTORE] are absent on official business.

I also announce that the Senator from Indiana [Mr. HARTKE], the Senator from Utah [Mr. MOSS], the Senator from Florida [Mr. SMATHERS], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Alaska [Mr. GRUENING], the Senator from Indiana [Mr. HARTKE], the Senator from Wyoming [Mr. MCGEE], the Senator from Montana [Mr. METCALF], and the Senator from Rhode Island [Mr. PASTORE] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Tennessee [Mr. BAKER] and the Senator from Utah [Mr. BENNETT] are necessarily absent.

The Senator from Massachusetts [Mr. BROOKE], the Senator from Kentucky [Mr. COOPER], the Senator from Wyoming [Mr. HANSEN], and the Senator from Oregon [Mr. HATFIELD] are absent on official business.

The Senator from Texas [Mr. TOWER] is detained on official business.

If present and voting, the Senator from Utah [Mr. BENNETT], the Senator from Massachusetts [Mr. BROOKE], the Senator from Wyoming [Mr. HANSEN], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 74, nays 8, as follows:

[No. 56 Leg.]

YEAS—74

Aiken	Gore	Montoya
Allott	Harris	Morse
Anderson	Hart	Morton
Bayh	Hickenlooper	Murphy
Bible	Holland	Nelson
Boggs	Hollings	Pearson
Brewster	Hruska	Pell
Burdick	Inouye	Percy
Byrd, Va.	Jackson	Prouty
Byrd, W. Va.	Javits	Proxmire
Carlson	Jordan, N.C.	Randolph
Case	Jordan, Idaho	Ribicoff
Church	Kennedy, Mass.	Scott
Clark	Kennedy, N.Y.	Smith
Cotton	Kuchel	Spong
Curtis	Lausche	Symington
Dirksen	Long, Mo.	Talmadge
Dodd	Long, La.	Thurmond
Dominick	Mansfield	Tydings
Eastland	McCarthy	Williams, N.J.
Ellender	McClellan	Williams, Del.
Ervin	McGovern	Yarborough
Fannin	McIntyre	Young, N. Dak.
Fong	Miller	Young, Ohio
Fulbright	Mondale	

NAYS—8

Cannon	Hill	Russell
Griffin	Monroney	Stennis
Hayden	Mundt	

NOT VOTING—18

Baker	Hansen	Moss
Bartlett	Hartke	Muskie
Bennett	Hatfield	Pastore
Brooke	Magnuson	Smathers
Cooper	McGee	Sparkman
Gruening	Metcalf	Tower

So the amendment of Mr. WILLIAMS of Delaware was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. WILLIAMS of New Jersey. Mr. President, legislative lobbying activity should be considered under careful scrutiny of all the laws, rules, and regulations concerning this area. Violations of these laws should be prosecuted to the fullest by the Attorney General. The present laws, rules and regulations have been for the most part, very ineffective. Changes should be made and the Attorney General should be brought before the Congress to discuss with us how we should carry out our responsibilities concerning lobblyists. This type study would be the proper function of the Judiciary Committees of both Houses of Congress.

This was the objective of the Hruska amendment, modified by Senator GRIFFIN, and I therefore supported it.

Mr. MONRONEY. Mr. President, I ask for third reading of the bill.

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.

RULES, PRACTICES, CUSTOMS, AND PROCEDURES OF THE SENATE

Mr. CLARK. Mr. President, because I believe that the Senate is presently operating under a system of rules and precedents that are not only obsolete but harmful to the advance of the country's social and economic progress, because I believe those rules, practices, customs, and procedures are unresponsive to the people's wishes, I have undertaken to call before the Senate a series of amendments to the Monroney-Madden reorganization bill.

My purpose at this time is to state why I did that, to review the results of the amendments which I proposed, and then to indicate, briefly, the damage which I think has been done to the goal of making the Senate an effective legislative body by the refusal of my colleagues to face up to what has often been called the felt necessities of the times.

Fundamentally, I believe that the present system for conducting business in the Senate, both in committee and on the floor, unjustly protects the minority at the expense of the majority. Ever since Woodrow Wilson stated, back in 1917, that the Senate of the United States was the only legislative body in the civilized world which was unable to act when a majority was ready for action, it has been obvious that the time would come when something would have to be done about the way the Senate does business, or our whole system of Federal Government would be in jeopardy.

In that year rule XXII was first adopted; and that was a great step forward. Prior to 1917, when the late Senator Walsh, of Montana, took the initiative with respect to rules reform, there was no way whatever of terminating debate. As a result of Senator Walsh's initiative—supported, of course, by President Wilson—what is substantially the present rule XXII was adopted, and two-thirds of the Senators present and voting were enabled to bring debate to a close.

However, ever since the founding of the Republic, debate could also be brought to a close by a motion to table, which would carry if only 51 Senators supported it. Accordingly, to get something done in the Senate, if the opposition is active and aggressive, you have to get 67 Senators to pass a bill; but if you want to keep something from being done in the Senate, you only need 51. The obvious inequity need not be reiterated. What does need a word, however, is the curious kind of philosophy which permits the status quo to remain unless two-thirds think otherwise, and again permits the status quo to remain against efforts to change if a majority are prepared to vote to table a measure which would effect some change.

In short, costly weakening and sometimes unfortunate compromise for badly needed legislation is the inevitable result of the system under which we operate. We are legislating in an archaic manner, and the times demand change, in order to keep up with the pace of the 20th century—and the last third of the 20th century at that.

It is true that through the course of history since Congress first met in 1789, progress in the legislative branch has come about slowly. I have often said that the advanced thinking in the universities of our country and among those men and women who are most knowledgeable about public affairs is about one generation ahead of the required action in Congress. Somebody has to point the way or make the first moves toward changing the situation; and over a period of more than the last 10 years, it has been my privilege, and indeed my honor, to point the way toward badly needed change.

Hardly a reform has come about in this body, over the years, for which the original proponent was not pilloried when he first suggested it; and I am content to continue this somewhat lonely fight, with the conviction that in due course, the majority of my fellow Senators will change their views and support badly needed congressional reform.

Ever since the summer of 1960, it has been my view that the Standing Rules of the Senate are a strong deterrent to the proper and efficient functioning of this body. That was back in the 86th Congress; and I then offered a series of proposals for specific changes in the Senate rules.

By the time the first session of the 88th Congress rolled around, those proposals had been expanded into 16 specific amendments to the Senate Rules, which were at that time referred to the Subcommittee on Standing Rules of the Committee on Rules and Administration. There they received a not unexpected chilly reception, and there they languish to this day.

By the end of the second session of the 88th Congress, those 16 specific amendments had been elaborated and refined into a comprehensive revision of the Standing Rules of the Senate. Like its more modest predecessors, this omnibus proposal was referred to the Subcommittee on Standing Rules of the Committee on Rules and Administration, where it met its accustomed fate.

The comprehensive revision was reintroduced by me in the 89th Congress. Again, it went to the Committee on Rules and Administration. It did not even receive 1 day of consideration in that committee. Because I despaired of obtaining a hearing on these rules, not only before the Subcommittee on Standing Rules, a subcommittee of three of my distinguished colleagues, but also before the full Committee on Rules and Administration, I determined to see whether the Joint Committee on the Organization of Congress might not be persuaded to take up these badly needed reforms.

It is no secret, and I do not hesitate to make the statement publicly, that the Committee on Rules and Administration is so constituted that it will vote at least 5 to 4—and sometimes more—against any change in the Senate rules proposed by me, no matter how minor. It is also true that the Subcommittee on Standing Rules would cast a similar vote by 2 to 1.

It, of course, is the right and privilege of Senators to take that, to my way of thinking, somewhat archaic point of view. I do not complain but, in God's good time, the composition of that committee will almost inevitably change. New and somewhat more modern men will come to serve on that committee.

I am confident that before too many years have gone by a well-thought-through and comprehensive revision of the Senate's rules, customs, procedures, and manners will come to be viewed with favor by a majority of the Committee on Rules and Administration and we will eventually get action.

When the Senate concurrent resolution creating a Joint Committee on the Organization of Congress was brought before the Senate, I urged that that committee, consisting of Senators and Representatives, be given authority to propose changes in the standing rules of both bodies, including the rules relating to floor procedures.

To my regret the Senate, and indeed the Senate Establishment to which I have had occasion to make reference in the past, refused to give the joint committee that authority, although it did not deny to it the right to take testimony in that area.

When the joint committee quite properly decided to exercise this limited power of taking testimony, I accepted the opportunity to make a full exposition of my proposed comprehensive revision of the standing rules of the Senate and a number of other proposals which fell within the joint committee's jurisdiction.

Questions were asked and a comprehensive record was developed, which can be found in the printed proceedings of the committee.

With that background, I attempted to refine again the comprehensive revision of the standing rules of the Senate, first introduced in 1964, with a view toward offering the most important and, in my opinion, the most useful reforms as individual amendments to the Monroney legislative reorganization bill.

It had occurred to me that only in this

way could the Senate be given a chance to act on these proposals, given the limitations in the charter of the joint committee and the determined decision of the Committee on Rules and Administration to act negatively, if at all, toward proposals for procedural reform. The response of the Senate to these proposals in a series of votes which have occurred during the last month can only be construed as indicating that the Senate continues to be unwilling to face up to the need to take those basic minimal steps needed to permit it, particularly in time of crisis and more particularly during the hectic weeks prior to adjournment each year, to perform its duties as an effective legislative body in the modern world.

Let me review the record of what has been done. I shall refer to the numbers of the proposed amendments as they were filed at the desk and will proceed in chronological order with respect to the amendments I offered.

The first amendment was amendment No. 6, which would have stricken out the proposal of the Monroney-Madden committee to eliminate proxy voting in committee. In a series of off-the-floor conferences with the Senator from Oklahoma, we succeeded in working out the proxy question satisfactorily. The Senator from Louisiana [Mr. LONG] rallied to my support with this amendment No. 69, so that the net result was that proxy voting in committees was left in the only way in which is was feasible, which was to permit a widespread use of proxies when amendments were being proposed and bills were being marked up in order to make it possible for Senators who serve on three, four, and sometimes five committees to be recorded by proxy when they were unavoidably unable to attend the committee meeting.

We could get rid of proxy voting if we did not insist that Senators should be permitted, whether by grandfather clause or otherwise, to serve on far more committees than they can possible do justice to.

As long as that system prevails—and it is clear that it is the will of the Senate that it should continue to prevail—it is absolutely necessary to permit proxy voting on a widespread scale. So I am content with that result, and I am happy to have been able to play some part in bringing it about.

The next two amendments, Nos. 7 and 64, dealt with ex officio members of the Appropriations Committee.

It had been my view that certain committees were favored in that they were permitted to have ex officio members of the Committee on Appropriations while others, including the Committee on Labor and Public Welfare, which brings to the floor probably more authorization bills requiring appropriations than any other committee in the Senate, were not.

The Senate disagreed with me in my efforts to increase the number of committees entitled to ex officio members.

A motion made by the Senator from South Dakota [Mr. MUNDT] to table my amendment was agreed to by a vote of 63 to 13.

When I offered an amendment to eliminate all ex officio members of the Appropriations Committee on the theory that what was sauce for the goose was sauce for the gander, that amendment was rejected by a vote of 17 to 66.

That amendment would have repealed paragraph 6 of rule XVI of the Senate. The end result is, first, that certain favored committees, such as the Committee on Agriculture and Forestry, are placed in a position of priority and preference when their appropriations are being considered, whereas other committees, such as the Committee on Labor and Public Welfare and the Committee on Banking and Currency are denied the privilege afforded to others. Moreover, the Senate rejected an effort to remedy that injustice.

The next amendment was amendment No. 8 which dealt with committee meetings during Senate sessions. Here I was joined in my proposal to vastly liberalize the rule with respect to committees meeting while the Senate is in session by the Senator from Texas [Mr. YARBOROUGH].

The two of us persuaded the Senator from Oklahoma to substantially modify his amendment dealing with this subject, and by a voice vote an amendment was agreed to which provided that with the consent of the majority and minority leaders, committees could meet while the Senate is in session, both to conduct hearings and to mark up bills.

A legislative history was made to the effect that the majority and minority leaders in giving that permission were to be guided not by the request of any one Senator that the committee should not be permitted to meet, but by their own view as to what was good for the most expeditious conduct of Senate business.

So, I would anticipate that we pretty well cracked the delaying tactic of denying committees the right to meet at the behest of any one Senator. And this is indeed an important reform when we think of the backlog of legislation which over takes us during the closing days of every session. So this, too, was a move forward.

The next amendment was No. 9, which dealt with the committee bill of rights. Again, we made a legislative history, the Senator from Oklahoma and I, from which I was satisfied that the committee bill of rights proposed by the floor manager of the bill, the Senator from Oklahoma, adequately expanded the right of the majority of the committee to require the committee should meet to establish its agenda, to give it the right to terminate debate within the committee, and to report bills to the floor regardless of what a minority within the committee, which might even include the chairman, might wish to do. So, with the aid of the legislative history made in connection with the debate on my amendment No. 9, I believe we have an effective committee bill of rights, and my amendment was accordingly withdrawn. So that, too, was progress.

The next amendment was No. 11, which would have eliminated that vermiform appendix to the procedures of the Senate—the reading of the Senate Journal. However, the Senator from Oklahoma felt that he was bound not to accept my amendments to this bill which dealt with floor procedure; and my amendment to eliminate the Senate Journal and to incorporate it into the CONGRESSIONAL RECORD, thus eliminating one method of conducting a filibuster, was tabled by a vote of 71 to 8. In view of the circumstances surrounding that vote, I wonder a bit whether all the Senators who voted for the motion to table were entirely acquainted with what they were doing.

Then, amendments Nos. 14, 15, 16, 17, 18, 19, 20, and 21 were rejected by voice vote on February 6 of this year. No. 14 would have prevented the notorious misuse of the right of any Senator to suggest the absence of a quorum at any time.

No. 15 dealt with the order of recognition, and merely incorporated into the rules the present procedure, which is that when the majority leader or the Senator sitting in his seat desires recognition, he will be given it, despite a loud voice asking for recognition from the back row, which is heard by the Presiding Officer before the majority leader struggles to his feet; and that the same rule should apply, as a matter of courtesy, to the minority leader if the majority leader is not seeking recognition.

No. 16 dealt with germane points of order, and would have cleared up the confusing situation which presently exists with regard to the right to interrupt a Senator who has the floor for the purpose of raising a point of order.

No. 17 would have incorporated into the rules what is a present well-known practice of the Senate—permitting speeches to be printed in the RECORD in normal rather than small-size print, whether or not they were actually delivered. This would be a great convenience to the Senate, and would eliminate a certain amount of delay, sometimes not too serious delay, but nonetheless holding up the Senate for substantial periods of time—as indeed I am doing now, at the end of the day. Customarily, if a Senator has a text, he will read the first few sentences and the last few sentences and tell the official reporter to print it all in regular size type, and thus violate the rule of the Joint Committee on Printing which provides that any material that is not actually delivered by voice or is an insert from another source must be printed in type so small that it is most difficult to read.

Similarly, No. 18 dealt with points of order and established a more orderly procedure, with limited debate, for disposing of them. By that time, the attendance on the floor of the Senate had shrunk almost to the vanishing point; and while the amendment was defeated by voice vote, I noted at the time that there were only six Senators on the floor, and the amendment lost by a vote of 5 to 1.

The same fate was met by No. 19, a rewrite—a badly needed rewrite, I may say—of the present utterly incomprehensive rule VII, dealing with morning business. The effort to rewrite the rule in basic English, making some commonsense, was defeated by a vote of 4 to 1, on voice vote.

No. 20 dealt with the procedure for dealing with bills, and No. 21 dealt with methods of voting—both relatively minor reforms, the substance of which can be found by those scholars who desire to investigate the RECORD. The debate appears—it was a brief debate—in the RECORD for February 6, 1967.

We came then to the proposed amendments Nos. 22, 23, and 24, which were the so-called Bobby Baker amendments. In this instance there was somewhat more extensive debate, and the votes were closer. I predict that before 2 years have gone by, the substance of these Bobby Baker amendments will be adopted by the Senate.

In the course of the debate, the Senator from Mississippi [Mr. STENNIS], who had previously been adamant in his refusal to indicate when, if at all, the Special Committee on Ethics, which he chairs, would get around to considering the subjects of disclosure of financial interest, relations with lobbyists, and moonlighting by Senate employees, changed his position and committed himself, on the floor of the Senate, to have the Special Committee on Ethics consider these matters during this session, and to bring back its recommendations this year in ample time to have them considered on the floor before adjournment. This, I believe, was a rather significant victory for those of us who believe deeply that the Senate has swept under the rug the problem of its own code of behavior, its own ethics, its own procedures. The Senate has not followed the executive department in laying down ethical precepts to guide it in these matters; and again, in my judgment—speaking only for myself—this has tended to bring the Senate into disrepute with the country.

Amendment No. 22, which would have required all Senators to file a reasonably comprehensive statement of their assets and liabilities, gifts they had received, fees they had taken, the source of income of their spouses if that income was significant or substantial, was tabled by a vote of 45 to 30, indicating that at least 30 Senators were not happy with the present situation, which has been so much publicized, where conflict of interest has been frequently charged against Members of the Senate with respect to their activities and their votes.

Amendment No. 23, dealing with relations with lobbyists, a source of some incipient scandal in Congress, was tabled by a vote of 37 to 22. It would be invidious for me to call off the names of those Members of Congress—and individuals prominent in public life who are not in Congress—whose public conduct has been called into question by the courts and in one instance by the other body.

In one instance there is still pending such an inquiry. It is clear to me that we are going to have to do something about the problem of lobbyists. The Griffin substitute for the Hruska amendment, for which substitute I voted, is a clear call to the Department of Justice and the Committees of the Judiciary of the House of Representatives and the Senate to move into this area, to move in promptly, and to propose legislation which will deal with this vexing problem of legislative relations with lobbyists.

I was one of the Members on this side of the aisle who voted for the Griffin amendment and, frankly, I am glad that I did.

Amendment No. 24, dealing with moonlighting by Senate employees, was tabled on the motion of the Senator from Oklahoma by a vote of 49 to 28. This, too, is a problem we are going to have to face up to. It is difficult to say what was the overriding cause of the dereliction of duty of Bobby Baker, but it is clear that his moonlighting activities had a great deal to do with it. The amendment which I presented would have curtailed moonlighting by Senate employees, but would have created procedures by which legitimate moonlighting would have been permitted by permission granted by the immediate supervisor of the employee in question.

Amendment No. 25 dealt with procedures of the Committee on Appropriations. It would, in my opinion, if enacted, have vastly expedited the hearing, consideration, and voting on appropriation bills by the House of Representatives and the Senate.

Senators will recall that only a few years ago the appropriation process broke down to such an extent that the last appropriation bill was not adopted until, as I recall, New Year's Eve. The Senate was held in session all year long because the two quarreling Committees on Appropriations were unable to agree, first, on where to meet and, second, on the kind of business which had to be approved and signed by the President to keep the Government running.

In my judgment, the procedure which I suggested in order to remedy the situation would have vastly improved the processing of appropriations, but it was rejected by voice vote.

Amendment No. 26, which would have called for the adoption of rules by the Senate for each Congress, as the House of Representatives does, which, in my opinion, is required by the Constitution of the United States, was also rejected by voice vote. If adopted, it would have given us a simple procedure for dealing with rule XXII in the beginning of each new Congress, and also dealing with a number of other proposed changes in the rules, which I have suggested.

Amendment No. 27, which would have created a simple procedure for requiring committees to report controversial legislation which is bottled up in the committee, was also defeated, to my disappointment, by voice vote. Actually, it was a vote of 6 to 1, Senators not being sufficiently interested in the amendments with which I was dealing to come to the floor unless required to do so by a request for the yeas and nays.

Amendment No. 29, which dealt with the retirement of committee chairman, and would have required any committee chairman to retire, as such, at age 70, although continuing to serve as a member of the committee, was also defeated by a voice vote. Again, in my opinion, it would have tended to upgrade, modernize, streamline, and expedite committee procedure.

This brings me to the last five amendments which I called up and on which I requested rollcall votes, hoping that by doing so I would be able to elicit the interest of at least a few Senators who had failed to come to the Chamber during the consideration of other matters disposed of by voice vote.

The first such amendment was amendment No. 12, which dealt with germaneness of debate. It would have extended the present rule of germaneness to make it capable of being invoked at any time by the floor manager of the bill, the majority leader, or the minority leader, for the duration of the period during which a particular piece of legislation was being considered. It would have been an amendment to standing rule XIX of the Senate. It was tabled by a vote of 68 to 13.

My amendment No. 13 was next. It would have required that all amendments to the pending business should be germane. I pointed out the abuse which the failure to have such a rule—a rule which has been in effect in the House of Representatives for many years—had had in the recent history of the Senate in nongermane amendments becoming the tail that wagged the dog on civil rights legislation, or the prayer amendment, and on the one-man, one-vote measure, the so-called rotten borough constitutional amendment proposed by the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN]. This germaneness amendment was defeated by a vote of 68 to 13. It would have added a new standing rule XLI to the Senate rules, barring nongermane amendments to a bill under consideration and providing that all questions pertaining thereto shall be decided by the Presiding Officer subject to a nondebatable appeal.

Amendment No. 28 would have limited speeches on the floor of the Senate to a maximum of 3 hours. During the course of the presentation of the amendment I made some reference, in a lighter vein, to the competition between two of our esteemed colleagues several years ago to see who could talk the longest without exhaustion. It is my recollection that the record is now 23 hours and some minutes. I hope that I shall not live to see the day when that fundamentally immature process—sort of flagpole sitting contest, or if Senators are old enough to recall, the marathon dance of my early middle age, are typical examples—is repeated.

That amendment was defeated by a vote of 71 to 7, indicating that Senators desired to retain their inalienable constitutional right to talk in this Chamber for as long as they see fit, regardless of whether the galleries are empty, and their colleagues have gone home to a good hot dinner with their wives.

The next amendment was No. 30, and it would have eliminated the first of the two filibusters which are presently engaged in whenever a small group of Senators desire to prevent a piece of legislation from coming to a vote. This would have provided that after the appropriate warning procedure, a motion to take up the pending bill would be disposed of 24 hours after the motion was made, following a limited debate.

(At this point Mr. BAYH assumed the chair as Presiding Officer.)

Mr. CLARK. Mr. President, that vote was 69 to 13.

My final amendment was 31, perhaps the most important of them all. It would have reinstated the motion to the previous question. That motion was in effect in the Senate from 1789 until about 1806 or 1810. It is based on Jefferson's Manual. It has been in effect in the House of Commons since the late 17th century. It has always been in the Rules of the House of Representatives, and also in the senates, I believe, of practically all the States.

The motion for the previous question, under the rule I proposed, could not be called up until after 3 days, or 15 hours of debate, whichever was longer, with respect to any amendment or motion, and after 15 days of continuous debate with respect to any bill.

In my judgment, this extended debate would obviously give ample opportunity to ventilate and consider conflicting views, and the time would then have come when if the majority was ready to act, it would support a motion for the previous question and proceed immediately thereafter to a vote on the merits of the amendment or the bill.

That amendment was defeated by a vote of 64 to 18.

Thus, Mr. President, the Senate refused to change its hallowed, traditional methods of doing business. With the exception of the improvements made in the recommendation of the Monroney committee with respect to proxy voting, committee meetings during Senate sessions, and the rights and privileges of a majority of the legislative committees, the Senate made little progress in modernizing its rules and procedures.

To summarize, then, these 26 amendments, taken as a whole, constituted an effort to revise the Senate's rules to achieve these objectives: First, to implement the principle of majority rule by eliminating loopholes through which small minorities and individual Senators have been able to hinder, delay, and obstruct the conduct of public business by the Senate. Second, to chop out archaic and obsolete deadwood in the rules by streamlining and modernizing procedures, by the deletion of provisions which have long since lost their usefulness, and by rewriting Senate rules in basic English instead of leaving them as they are now, the product of legislative gobbledygook. Third, to make the rules as simple, concise, and explicit as possible, providing the public as well as the Senate with understandable descriptions of the way the Senate actually operates, as opposed to the way it is supposed to operate under its rules, so that a new Senator by simply learning and mastering a simple set of rules of procedure, which would be, in essence, about the same as those of any other legislative body in the civilized world, would be able to get on top of the procedures he was supposed to follow in, perhaps, 6 months' time.

Mr. President, I think I have made as careful a study of the rules of the Senate as any present Member of this body. I flatter myself that I have learned a little bit about them during the course of the past 10 years. But, I must confess, when a tricky point of procedure arises, I find myself utterly incapable of determining how the Parliamentarian will rule, even by consulting those basic manuals of procedure which are in the desk of each of us and which it would take a lifetime to master. I refer, of course, to the Senate Manual and to the book on Senate Procedure.

Valiant efforts by able men to explain the inexplicable have failed to bring meaningful action toward these objectives. The Senate has demonstrated not that a consensus does not exist for such action—since it does exist—but, rather, that it is drastically out of step with that popular consensus, as I read the desires of public opinion as expressed in polls, correspondence, and the like.

To substantiate my statement in that regard, I invite attention to the national party platforms of both the Democratic and Republican Parties which, over the last three, if not the last four national conventions in both parties, have contained pledges for wide-ranging reform of the rules of procedure of Congress, pledges which were violated the moment the election was over, when the Senators or Representatives who were successful in the election took their seats and turned their backs on their parties' pledges.

For instance, the Democratic Party platform of 1964 recites:

> The Congress of the United States should revise its rules and procedures to assure majority rule after reasonable debate and to guarantee that major legislative proposals of the President can be brought to a vote after reasonable consideration in committee.

Mr. President, I wrote that plank. It is in basic English. I think that any Senator knows what it means. To me, the cynicism by which Members of this body in my party have turned their backs on that clear commitment is something which I must, indeed, deplore.

The Republican platform in 1964 said:

> (We also pledge) a wide-ranging reform of . . . Congressional procedures, including the provision of adequate professional staffs assistance for the minority membership on Congressional Committees, to insure that the power and prestige of Congress remains adequate to the needs of the times.

Not so explicit as the Democratic plank, but explicit enough—and difficult, indeed, for a Republican Member of this body to explain away while voting down reforms based upon the plank which was inserted in his own party platform.

After all, what those two party planks recite is the essence of congressional reform: insuring that the power and prestige and effectiveness of Congress in general, and the Senate in particular, remains adequate to the needs of the times, and that we practice in our procedures—in our way of doing the Nation's business—that democracy which we are so fond of preaching outside this Chamber.

Mr. President, the pending bill, despite what I have said, deserves to be passed.

It is true that the mountain has labored and brought forth a mouse. But while it is a small mouse, it is a pretty healthy mouse. Perhaps, in due course, some Cinderella will come along and wave a magic wand and the mouse may, one day, grow into something a bit more impressive.

Let me recite a few of the good things about this bill, which persuaded me to cast my vote for it.

First, it has three improvements which were made on the floor, to which I referred earlier, dealing with proxy voting, committee meetings during Senate sessions, and the committee bill of rights.

Next, abolition of the necessity of confirmation of postmasters by the Senate. If for no other reason, this bill should be passed by the House and sent to the President in order to effectuate this long needed reform. I cannot think how many hours I have had to spend dealing with the problem of who is going to be the postmaster of Podunk, Pa. I note for the RECORD that there is no such place. As a result of this reform, time badly needed in other areas will now no longer have to be devoted to this problem, and my good friend, the Postmaster General, will hereafter have to deal with what I believe is actually an appropriate part of his duties.

But there are other good things about this bill. We have provided for Senate conference reports, which we did not have before. This is a useful, if minor, procedural reform.

Each of us will have a new legislative assistant, which, goodness knows, I need, and I assume every one of my colleagues needs, too.

Only very knowledgeable Americans really understand how hard Members of the U.S. Senate work. Our genial fictitious friend Senator Snort, who is represented from time to time by the brilliant cartoonist Lichty, has created an impression of what a Senator is like is far removed from the actuality. I have never known a more dedicated, hard-working group of patriotic Americans than my colleagues in the Senate. The only difficulty I find with them is that so often they do not agree with me. But this provision for an additional legislative assistant is a good thing.

We are on our way to reducing the size of committees, although it will take another generation to get the size down, because of the grandfather clause. This is all to the good.

We are professionalizing the Capitol Police. The present system has for many years been less than satisfactory.

We are consolidating the telephone and telegram allowance to Senators, which has caused me great pain and suffering during the years, because in my State a telegram is not much good, and the telephone allowance was far too small. Now each Senator, by reason of the consolidation, will be able to exercise his own judgment as to whether he should send his flowers by telegram or call up and congratulate the bride. This, of course, applies to much more important legislative, and, indeed political matters than this kind of service to our constituents.

We have provided for microphones in the Senate Chamber. Hereafter those of us whose voices are not as vibrant as perhaps they use to be may be able to preserve our voices in the same manner as elderly radio and television entertainers are able to do by use of microphones.

That is a desirable reform.

We have provided for an August recess. If we did nothing else—if we stick to it—that provision will make it worth voting for the bill proposed by the Senator from Oklahoma [Mr. MONRONEY].

But let us not kid ourselves or try to kid the public into thinking that his bill amounts to meaningful congressional reform, because it does not. We are putting a band aid on what I fear may turn out to be a mortal wound, and what is indeed a bleeding wound. It is like trying to cure cancer with aspirin. It is not going to work. Sooner or later we have got to do better.

Again I say I am confident that a comprehensive reform of the rules, procedures, customs, and practices of the Senate will take place within the foreseeable future.

As I have often had occasion to say, the Senate crossed a bench mark in the elections of 1958, when 18 Members, including the only two other Senators presently in the Chamber, were elected to the Senate, blowing a breath of fresh air from the 20th century into this Chamber.

Those men and those who were elected in 1960, in 1962, in 1964, and in 1966, are not going to sit back for the remainder of their senatorial careers content with what President Lincoln called the "dogmas of the quiet past"—the Senate dogmas of the days of Clay, Calhoun, and Webster, when the pressures of the world did not impinge on the Senate of the United States the way they do today.

Indeed, the present procedures in the Senate are inadequate to the stormy present.

The time has not yet come, it may not be just around the corner, but it is in sight. It must come if the Congress is to survive as a coequal partner in our three-branch Federal Government. For change is the essence of the world, change and growth, and institutions that cannot change and grow to meet the demands of the world are condemned to shatter under pressures they cannot contain, and be cast aside.

I would hate to see that happen to the Senate of the United States, which I love. My 10 years here have been the most rewarding years of my life.

My friendships with my colleagues, those with whom I often disagree, as well as those with whom I agree, have been a precious and rewarding experience for me; and I make this fight—sometimes a lonely fight—because I want to preserve the Senate as the great legislative body it has been in the past and which I hope one day it will become again, when it rededicates itself to the principles of democracy upon which this Republic was founded.

I conclude—not for the first time—with the words of an English public servant, novelist, and philosopher, Sir Charles P. Snow. They were not written about the Senate. They were written about the Venetian republic.

I have had occasion before, and I take occasion today, to call to my colleagues' attention their pertinence in the present situation. They were set forth in his famous Rede lecture on "The Two Cultures and the Scientific Revolution":

> I can't help thinking of the Venetian Republic in their last half-century. Like us, they had once been fabulously lucky. They had become rich, as we did, by accident.

I interpolate that Sir Charles is referring to Great Britain, not the United States:

> They had acquired immense political skill, just as we have. A good many of them were toughminded, realistic, patriotic men . . . Many of them gave their minds to working out ways to keep going. It would have meant breaking the pattern into which they had crystallized. They were fond of the pattern just as we are fond of ours. They never found the will to break it.

May the Senate of the United States come to a better fate.

Mr. President, I yield the floor.

Mr. MONRONEY. Mr. President, I urge every Member of the Senate to support S. 355, the Legislative Reorganization Act of 1967.

The road to congressional reorganization is never a short or a smooth one. The Joint Committee on the Organization of Congress was organized in March 1965 by unanimous vote in both the Senate and the House of Representatives. I was honored to be joined on this bipartisan committee by distinguished Members of this body—Senator MUNDT, SPARKMAN, CASE, METCALF, and BOGGS. The membership from the other body was of equal stature.

The joint committee's report was the product of more than 5 months of hearings with testimony from more than 200 witnesses—including over 100 Members of Congress. We tried our very best to make a realistic and useful report which would justify the confidence placed in the committee by Members of this body. After publication of the report last summer, our draft bill was discussed with the Rules and Administration Committee and many other Senators before and after completion of the past session.

I can say without qualification that no bill with which I have been associated has received such painstaking and lengthy consideration on the floor of the Senate. The debate on S. 355 has extended over a 7-week period. Over 100 amendments were offered for consideration—and many of these were called up and voted upon. As a result, the bill now bears the imprint of many distinguished Members of this body. It is a better-drawn, stronger and more realistic bill because of the continuing interest of so many Senators in the tedious process of amending its provisions. I express my personal gratitude to those who have participated in this monumental effort.

Now we must decide whether the 2-year effort of the Joint Committee on the Organization of Congress is really going to bear fruit. For now, the Senate votes for the first congressional reform bill since 1946 and the second in the 20th century. I hope, and I believe, that the Members of this body will seize this opportunity to say with a loud clear voice that it is unafraid of change and prepared to enact those measures which will make our Congress a more efficient, thoughtful, and well-informed decision-making body.

I shall not prolong this debate by reviewing the provisions of this bill in full once more. But no Member should doubt that it is an impressive, forward-looking step to a stronger organizational machinery. Specifically, S. 355 will provide:

Committee procedures which will insure that all Members of the Senate will have maximum information on which to base their decisions in committee and on the floor.

An increased capacity for legislative review of the administration of existing legislation.

Recognition of the continuing interests of those who have served our country in time of war by the creation of a standing Committee on Veterans' Affairs.

A better division of the enormous workload among Members of this body.

Greater congressional control over the Federal budget through the provision of more budgetary information to all Senators.

Increased committee staff capability and fair provision for minority staffing when it is necessary.

A full-time legislative assistant for each Senator.

A strengthening and better supervision over the Legislative Reference Service of the Library of Congress.

A permanent Joint Committee on Congressional Operations to function in those areas of common interest between the two Houses.

An August recess unless congressional business has been completed by the end of July.

The elimination of patronage in the selection of postmasters.

Strengthening of the lobby registration laws.

Many provisions of the bill are important. For example, I believe that the information to be collected and compiled by the Comptroller General under section 206 will be particularly helpful to the Members and committees of the Congress. We have never had what amounts to an overall "scoreboard" on the status of the budget from time to time as the Congress acts on the budget because we have never had a means for bringing all of the available information together in a central location. Any scoreboard must obviously reflect action on authorization bills and appropriation bills, as well as revisions in expenditures and revenues, or estimates thereof, originating in either the executive or legislative branches.

We are not suggesting that these estimates go behind or "second guess" those made by the appropriate committees of the Congress or the executive branch agencies. What we are seeking rather is a way to bring all available information together in a useful compilation and make it more systematically available to the Members. In other words, the intent is that the General Accounting Office will provide a compilation of existing estimates rather than make its own estimates or analyses of expenditure trends.

It is understood, of course, that the General Accounting Office will need the cooperation of the executive agencies and congressional sources of information for this service to the Congress to be fully successful.

I am profoundly grateful to the other members of the joint committee and the many Senators who have made such a major contribution to the preparation of these proposals. As you know, this has been a labor of love for me personally. I like to think that the achievements of the Legislative Reorganization Act of 1946 have been substantial and important to Congress. The opportunity for me to participate in both of these reorganization efforts has been an unforgettable one. Above all, I hope that our work has been satisfactory to this body and that you share my conviction that this legislation should be enacted.

I ask for full support on the vote on final passage.

Mr. AIKEN. Mr. President, will the Senator from Illinois yield me 5 minutes?

Mr. DIRKSEN. Mr. President, I yield 5 minutes to the Senator from Vermont.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 5 minutes.

Mr. AIKEN. Mr. President, I commend the committee which has reported this bill. I am perfectly willing to give it A for effort. I am willing to give it A's and B's for several provisions in the bill. There are some provisions, however, which I think should rate D's or E's—preferably E's.

However, there is one point on which I should like to comment at this time, although there are several which should not be in the bill.

I point out the provision on page 31 of the bill, which would transfer to a special committee of the House many of the functions which have been successfully handled by the Department of Agriculture over the past 80 years. These functions which will be transferred to a fragmented Health, Education, and Welfare Committee—an urban committee—include supervision over agricultural colleges, and jurisdiction over the experiment stations which have been responsible for a great deal of the progress made in agriculture in recent years. It will also give to this new committee, which is not an agricultural committee, supervision over the Extension Service of the U.S. Department of Agriculture, the information service which has advised our farmers on the latest methods in agriculture which has enabled them to increase greatly their yield. It would also transfer to the new committee agricultural research.

Mr. President, I feel that this has been a great mistake. We are all dependent upon American agriculture. We cannot say that it has failed. Thirty percent of the people of this country are dependent upon agriculture for their income. When we say that we should transfer the functions of agricultural education, the Extension Service, and agricultural research to another committee then, I believe, we are saying, in effect, that American agriculture has been a failure.

I do not believe that the wheat growers of Kansas, Oklahoma, or the Dakotas, have failed in their efforts to feed the world over the past several years. I do not believe that the corn and livestock growers of Illinois, or the dairy farmers of Wisconsin or Vermont, have failed in their efforts to bring about the most successful agriculture the world has ever known.

Now we say that we are going to take these functions away from the Department of Agriculture and give them to a part of the Health, Education, and Welfare Committee of the House which certainly, in all probability, will be far more urban-minded than agricultural-minded.

It may be said that this applies to the House only. This is just one further step toward emasculating American agriculture.

We have had trouble enough. The agricultural income of this country is down seven points below what it was a year ago. I believe it has gone down from 80 percent of parity to 73 percent at the present time. We are threatened with the cutting down of our agricultural trade with Western Europe, and having it thrown to the advantage of the Western European countries and American industrialists.

I do not like to see this continual chiseling away at American agriculture.

I realize that the agricultural areas of this country do not have the votes they used to have. I realize that our farmers are poor campaign contributors compared to some of our international corporations and industrial concerns in this country.

Nevertheless, I maintain that agriculture is the most important industry in this Nation today and we have no business emasculating its programs which have proved to be so successful over the past three generations.

I repeat, there are some good features in the bill. I am protesting the bad ones. I have pointed out one of them. The only way I can put emphasis behind my protest is to vote against the bill—and that is what I plan to do.

COSPONSORS OF S. 109

Mr. President, I also want at this time to request that, at the next printing, the names of Senators CHURCH, of Idaho, and Senator HART, of Michigan, be added to the list of sponsors of S. 109, a bill that is intended to prevent the exploitation of farmers by processors and handlers.

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

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

Mr. AIKEN. I yield.

Mr. MONRONEY. On page 30 it is adequately made clear that these provisions are applicable to the House of Representatives, and they were put in by the House. We cannot write House rules.

Mr. AIKEN. We are writing them——

Mr. MONRONEY. The House may kill or change those rules, but we have no authority to modify or change them.

Mr. AIKEN. I have no intention to change them. This is part of a program to chisel away American agriculture, and it is put in there at agriculture's expense. This affects $7 billion of agricultural production. Think what it would mean to our balance of payments——

Mr. MONRONEY. This is up to the House.

Mr. AIKEN. Certainly. Next time it will be up to the Senate.

Mr. MONRONEY. I yield to the Senator from Minnesota for insertions.

THE MORAL BASIS OF THE WAR ON POVERTY

Mr. McCARTHY. Mr. President, Sargent Shriver recently wrote an article regarding the moral and religious basis for the war on poverty. He relates examples of work already being done by some church groups and also states his views as to why the churches should become more involved.

I ask uanimous consent that this article, "The Moral Basis of the War on Poverty," which appeared in the December 1, 1966, issue of the Christian Century, be printed it this point in the RECORD.

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

THE MORAL BASIS OF THE WAR ON POVERTY

(The test of 20th century Christianity is not how much the poor enter into the life of the church, but how much the church enters into the life of the poor.)

(By Sargent Shriver)

In the famous scene in *The Brothers Karamazov* where Ivan challenges Zossima about the social inequality and suffering in the world, the elderly philosopher remarks: "If we were brothers, there would be brotherhood, but until then, there will never be any division of wealth."

Freeing people from poverty was as difficulty an ideal in Dostoevsky's time as it is in ours. Today, however, poverty is seen not as the poor man's suffering but as the economist's abstraction, and the remedying of it as the do-gooder's pastime. There is this gain: the scandal, the horror of poverty has now come into the open. Today, as the French theologian Yves Congar wrote recently, we "know the figures of hunger and the statistics of misery: we have seen the photos of children with their swollen bellies, their hollow eyes and their prominent knees between thighbones as thin as shinbones. On the other hand, the hungry and wretched have seen the affluence of our installations, our way of life, our luxuries, our tanks and our guns."

People can deny that statement, they can lament it, they can duck it; but if they still want to be Christian they must respond to it.

SHOULDERS TO THE WHEEL

Here in the United States there is evidence that response is being made. Both church and state—separate legs supporting one body of effort—are engaged in the economic, political and moral struggle that we have labeled the "War on Poverty."

Most wars are declared by old men and fought by young men. But our war against poverty strives to enlist everyone, people of all ages, all reaches of society and all religions. Nothing is more ecumenical than poverty and the war on it.

During one week last month I had three experiences in the midwest that, two years ago, couldn't have happened to any government official anywhere in the country.

I was in Cincinnati, visiting a northside community known as the Steele Subdivision. There I met the Reverend Edward Jones, a gentle-hearted and far-seeing man of 61, who has been pastor of Cincinnati's First Baptist Church for 31 years. He told me about his community: three years ago garbage choked the gutters, children played in the hot, airless alleys, the dwelling houses were miserable shacks, many without heat or light or plumbing.

I looked around at the neighborhood. What, I asked Pastor Jones, had happened to change it so completely, to make the eyesore of three years ago a sight for sore eyes?

"Well," he began, "we have 285 families in

the Steele Subdivision, most of them low income. Three years ago, we decided to quit crying on each other's shoulders about our poverty and start putting those shoulders to the wheel, to get ourselves out of poverty. We got each family to chip in a dollar. Then we hired a bulldozer to cover up the garbage dump. That was something everyone could see. They could look out the window and say, 'The dump is gone. And it went because we wanted it to.' Then we tore down 24 condemned buildings. That was another improvement we could see. The houses went because the local people wanted them to.

"In December of 1964, we had enough community support to apply to the Office of Economic Opportunity for a grant. But we made a resolution before accepting it: we wanted the money as a supplement to our initiative, not as a substitute for our effort. Since then, the Steele Subdivision has never been the same. Then I went to the Sisters of Mercy Convent a few blocks from my church to ask their help. They've been helping ever since. They have set up an adult education program to teach home economics, sewing and typing.

"Last year, we petitioned the Hamilton county officials to reopen the Steele school building. They had to close it a few years ago because it housed segregated classes. White children wouldn't attend it even though it was very near their homes. Now the first floor is the center for our Head Start program."

How explain this turn-about? "The war on poverty has worked in this community because the people were willing to work," Pastor Jones told me. Could the community use any more help? "You bet we can. You supply the money and we'll supply the effort."

Later that day I went to St. Joseph's Infant Home in Cincinnati—a building 87 years old, but harboring some of the youngest and freshest ideas I have ever come across.

Sister Rose Eileen of the Sisters of Charity met me at the door. The supervisor of the children at the house, she has been both a nun and a registered nurse for 25 years. In the main lobby of St. Joseph's I was greeted by 50 elderly people—Catholic, Protestant and Jewish, married and unmarried, employed and unemployed.

"They are all participants in your Foster Grandparents Program," said Sister Rose Eileen. "Each of them is a 'grandparent' 20 hours a week, taking care of two children. Nearly all the youngsters here are unadoptable because of either physical or nervous disorders." One of the foster grandparents, a man of 78, told me what was happening to him: "Ever since I've been taking care of my two little ones, I haven't had an ache or pain. I'd been taking medicine for the past 15 years and was always feeling bad. But I haven't needed a pill in the last six months. That's exactly how long I've been working with my foster grandchildren."

That man was now getting medicine that no doctor could give him: the medicine of being needed. He was helping others, instead of trying to get others to help him. As for the children, Sister Rose Eileen told me that since the old people had been coming they were crying less and enjoying life more, had even reached the point of expressing their needs, and, as Sister remarked philosophically, would probably be out on the picket lines soon, in the style of any normal American youngster.

BEAUTIFUL AND LOVABLE

A few hours later I was in Chicago, at the Bethany Methodist Hospital. The Reverend Bert Selin, 65, a Methodist clergyman since 1924, has been administrator of Bethany for the past 25 years. His hospital has 85 beds for the acutely ill, 105 for the chronically ill. He took me to one of the day rooms in the chronically ill section. There I saw an unforgettable sight. A short, skinny girl with scraggly hair, wearing a dress too long and too loose, was feeding a patient with Parkinson's disease. His hands, arms and head shook uncontrollably. The girl took a spoonful of soup and somehow get it into the patient's mouth. She did it again and again, until the soup bowl was empty. Then she fed him the rest of the meal, weary spoonful by weary spoonful. I asked the man, "How do you like this girl?" He replied, "She's beautiful, isn't she?" That short, skinny girl with the scraggly hair *was* beautiful to him—not only beautiful but lovable. And suddenly she was beautiful also to me.

She and other girls who were working at Bethany Methodist, Pastor Selin told me, were from the nearby Brunswick Job Corps Center for Women. "I don't know of any program that has been a greater boon to the hospital than the help of these girls," he said. "Every hospital in Chicago wants to hire them when they finish their three-month training at the Job Corps. There are more jobs than there are girls."

Visits like these may seem to be a mere reviewing of the troops. The official visitor easily delivers the right cheer-em-up phrase and the appropriate Washington-is-with-you smile. But all the handshaking brings the realization that the War on Poverty is being fought heroically in many places. When he was well into the second year of his presidency, John F. Kennedy described himself as "an idealist without illusions." He meant, I think, that ideals amount to nothing unless they are put into daily practice by people. And unless we Washington men see what the people are doing, we are likely to founder in our idealism. The War on Poverty could not be carried on without such people as Pastor Edward Jones, Sister Rose Eileen and Pastor Bert Selin.

Only a few years ago we all believed that because church and state were separate, they had to be mutually exclusive, that the money of government could not be mixed with the currency of salvation. The War on Poverty has certainly taught us new lessons. We have created not merely a political agency of a political government for political reasons; we have created an agency that attacks the causes of poverty from all sides—political, economic and moral—using all types of organizations and all types of citizens. We have learned the difference between a bureaucracy and a democracy: an effective bureaucracy thinks it helps the people to be free, but a true democracy frees the people to think.

But there is still opposition to an "unconditional" War on Poverty. One of the most common objections is that it cannot be won because Jesus Christ said it couldn't. Skeptics love to quote the Bible: "The poor you always have with you." This passage, they suppose, implies that poverty is both a law of nature and an unchangeable fact of society, that the words amount to an admission on the part of Christ himself that nothing can be done about poverty. Some people even insist on the basis of this text that the War on Poverty is anti-Christian—against Christ's prophecy.

A DUTY DICTATED BY JUSTICE

It seems to me, however, that Christ's words "The poor you always have with you" are a comment not on poverty but on human nature. Societies will always have poor people—because most of the rich will always be selfish; because the poor will always be deprived of economic opportunity and will always be denied equal rights to justice and liberty; and because some men will always hoard more goods than they need. All this is true. But Christ was not saying that it had to be true, that we must always have poverty. He was only saying that poverty would always result if people did not obey God's will. In effect, he was saying that if enough human beings lived according to the Judeo-Christian morality there need be no poverty at all in the world.

Hence the War on Poverty must be fought not only politically but also morally. The difference between politics and morality is that the political man acts for the good of the people while the moral man acts because the people are good. At the Office of Economic Opportunity we believe that the 34 million poor people in this country are basically good human beings. Serving them is not a fringe operation. They need the freedom of their own ambition or else they lose their ambition to be free. Thus we believe that the War on Poverty is not an act of charity but a duty dictated by justice.

Yet many Americans are still undisturbed by the presence of poverty. The apathetic have now been joined by militant white backlashers. These people are not in the least concerned over the fact that while roughly 20 per cent of the nation is poor, only 1½ per cent of the federal budget is used to fight poverty; indeed, many are riled because the country is using that 1½ per cent in the first place. Why are the poor so lazy? they ask. Can't they make it the hard way, like I did? Aren't they too well off on relief? Can't they at least clean up their houses? Why don't they move out of the slums?

MORAL HEMOPHILIA AND ITS CURE

One man currently answering these questions is Pastor Arthur Simon of Trinity Lutheran Church, a young minister who lives and works on New York's lower east side. He attributes our indifference to poverty to the fact that "we have baptized middle-class respectability." There is nothing wrong with being middle class, he says; the trouble is that such a style of life is often "a commitment to self-promotion, exclusion and evasion of human problems." In his moving book *Faces of Poverty*, recently published, Pastor Simon describes the middle class:

"It is self-promoting because it places too high a value on our own comfort: it indicates an inordinate desire for earthly possessions: and it is nourished by a search for status. It is exclusive because in this style of life people of similar background and circumstances are drawn together, like iron filings by a magnet, into neighborhoods which have systematically eliminated the less worthy. It is evasive because it cuts us off from precisely those people whose needs are most acute and to whom the gospel recommends us most of all."

What does this clinging to middle class values mean in fact? In Pastor Simon's neighborhood it means that during a period when 200,000 low-income people were moving into Manhattan below 14th street, 17 Protestant churches were moving out, while the churches that stayed, like Trinity, petered off to a trickle of old faithfuls.

Christianity sometimes seems to have a case of moral hemophilia: its sense of social responsibility is bleeding away. The test of 20th century Christianity is not how much the poor enter into the life of the church. but how much the church enters into the life of the poor.

This idea is neither radical nor new. Twenty years ago Michael de la Bedoyere wrote *Christianity in the Marketplace*, a sort of John-the-Baptist book to Harvey Cox's *The Secular City*. The message of both authors is that the church must go where the people are without fear of becoming secular. Yet many of us still think that to be secular means to be worldly. And so, avoiding the worldly city, we also avoid poverty. Recall the words of Albert Schweitzer:

"Whatever you have received more than others in the way of health, in talents, in ability, in success, in a pleasant childhood, in harmonious conditions of home life—all

this you must not take to yourself as a matter of course. You must pay a price for it. You must render in return an unusually great sacrifice of your life for other life."

As the O.E.O. moves into its third year, there are many people in this country who facetiously—even cynically—claim they are trying to survive the War on Poverty. But in truth this country needs the War on Poverty to survive. With the suffering of the poor in view, the ideal of brotherhood as our motivation and the assurance of democracy as our prize, we believe that the battle against poverty is not only an act of political foresight but a thrust of moral insight.

Christianity's chief ground for optimism is that many people have at last come to see it not only as a religion but also as a sociology. Vatican II helped remove the theological cataracts from our eyes: no longer can we seek the spiritual kingdom of God by turning our back on the social realm of man. We must instead go into that realm—as social beings involved with other social beings, ignoring the sweat and not counting the change. The four Gospels are not abstract ramblings on God; they are accounts of how Christ lived, of his actions among other men: what he said, what he noticed, his approachableness and availability, the way he lifted the spirits of the poor, the way he dared the rich to be better instead of merely better off, his articulation of a nobler vision.

Today there is reason to hope that the church is moving in this direction—witness the men and women joining the Peace Corps and VISTA and those who in other ways are taking the poor seriously. Such people cannot be passed off as fribble idealists or as renegades from easy street. Rather, they are believers in God and loves of humanity. It is impossible to be one without being the other.

The great truth of our era is that God cannot be honored unless mankind is served. That is both the strength of the church and the goal of its commitment.

METHODIST STATEMENT ON CIA INVOLVEMENT IN NATIONAL STUDENT ASSOCIATION

Mr. McCARTHY. Mr. President, the staff members of the general board of education and the staff members of the general board of Christian social concerns of the Methodist Church recently issued a statement regarding the CIA involvement in the National Student Association and asked for an investigation of the domestic activities of the CIA by congressional authority.

I ask unanimous consent that their statement be printed in the RECORD.

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

METHODIST STATEMENT ON CIA INVOLVEMENT IN NATIONAL STUDENT ASSOCIATION, FEBRUARY 23, 1967

WASHINGTON, D.C.—Staff members of the Methodist Board of Christian Social Concerns and the Board of Education are gravely concerned over the revelation that the CIA has covertly substantially financed and infiltrated the major student organization of the United States.

The Central Intelligence Agency has exceeded the bounds of propriety in attempting, through clandestine funding, to affect leadership and policies of an otherwise private and independent national organization. It is apparent that the objectivity of youth attending international conferences, if selected by CIA-sponsored student leaders, would properly be suspect. Such a practice becomes all the more disturbing upon reflection that it occurred during a period when student organizations more critical of United States foreign policy were being discouraged by the State Department from attending certain East-West conferences labelled "communist-dominated." Perhaps the most disastrous consequence of CIA funding of N.S.A. students abroad will be that over the next several years the credibility of all U.S. persons travelling, stationed, or studying overseas may be subject to question by people of host countries.

We are dismayed by the callous statement of former CIA Director Allen Dulles who, in reference to the Agency's use of the N.S.A., has stated: "We obtained what we wanted." But at what price? The destruction of the most prominent U.S. student organization? The disillusionment and lack of trust of students throughout the country in their own leaders? A wave of suspicion that all domestic democratic institutions have suffered from insidious corruption?

Surely the United States cannot justify opposing communism overseas through techniques which undermine relationships of confidence and democratic institutions at home. The use of students by a government agency in covert and deceitful activities seems incongruous at a time when the Administration is using considerable resources to appeal to the best impulses of youth, combat crime, and develop programs for the welfare of the younger generation.

Though we continue to have confidence in the vast majority of United States student leaders, we are saddened to learn that a few officers at the top of the National Student Association knowingly allowed themselves to be used for purposes which destroyed what should have been relationship of mutual trust, openness and integrity among fellow leaders. However, we particularly commend both those students who agonizingly sought to extricate the N.S.A. from CIA subsidization and those N.S.A. leaders who, despite harassment from CIA officials, refused to deny the fundamental truth of the *Ramparts'* article.

In light of the above, we recommend that the domestic activities of the CIA be thoroughly investigated by responsible Congressional authority with a view to looking into any other covert links of the CIA with national organizations, foundations, or other institutions whose purposes may thereby have been perverted.

H. D. Bollinger, William Corzine, Glen Otis Martin, Staff members of the General Board of Education, The Methodist Church.

A. Dudley Ward, Gover C. Bagby, Dale White, Herman Will, Jr., J. Elliott Corbett, Luther E. Tyson, Staff members of the General Board of Christian Social Concerns, The Methodist Church.

AMENDMENT OF UNIFORM TIME ACT OF 1966

Mr. CURTIS. Mr. President, the Legislature of the State of Nebraska has passed Legislative Resolution 16. The resolution calls upon Congress to limit daylight savings time to only the months of May, June, July, and August. The resolution has been previously printed in the RECORD in the House of Representatives.

I ask unanimous consent that the resolution may be received and referred to the appropriate committee.

The PRESIDING OFFICER. The resolution will be received and referred to the Committee on Commerce.

Mr. CURTIS. Mr. President, I send to the desk a bill on behalf of myself and my colleague from Nebraska [Mr. HRUSKA] to carry out the request of the resolution.

I hope that the appropriate committee will report the matter favorably and that it will be enacted into law.

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

The bill (S. 1208) to amend the Uniform Time Act of 1966 so as to reduce from 6 month to 4 months the period for which daylight saving time shall be in effect, introduced by Mr. CURTIS (for himself and Mr. HRUSKA), was received, read twice by its title, and referred to the Committee on Commerce.

LEGISLATIVE REORGANIZATION ACT OF 1967

The Senate resumed the consideration of the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

Mr. MUNDT. Mr. President, we are about to conclude an unusually long, interesting, and informative debate on the merits of the recommendations of our Joint Committee on the Reorganization of the Congress. As the ranking Republican member of this joint committee, I strongly recommend to the Senate approval of this legislation. It is far from perfect, but it does represent a long forward step toward increasing both the stature and the efficiency of the National Congress.

Not only did our joint committee spend a tremendous amount of time considering all recommendations and arriving at our final report, but the Senate itself has considered in the general area of 100 amendments these past 4 weeks dealing with the legislation unanimously agreed upon by our joint committee. Seldom has the Senate given more diligent and careful consideration to legislation placed before it. Some useful recommendations have been adopted during the floor consideration of this measure; a great many other proposals have been defeated by voice or rollcall votes. We now have before us a good piece of legislation, and I recommend it to the Senate for its strong approval.

The Members of the Senate section of this joint committee are: Senators MONRONEY, SPARKMAN, and METCALF, and on the Republican side Senators MUNDT, CASE, and BOGGS. I congratulate our committee chairman, all of the Senators involved, the House Members of the joint committee and the unusually energetic and diligent staff members who worked on this project, on having stuck with this job until it was completed.

To those pessimists among us who suggested we could never get this legislation through the Senate, I say only that this body has once again demonstrated its capacity for action. The task is now all but completed with only the final rollcall to be taken. I am pleased, as I am sure all of you are, that the Senate resisted the temptation to recommit this whole matter back to the committee; and even though it has required a great amount of time to complete the task, we can rejoice together over our collective accomplishments.

For me, one of the most gratifying re-

sults of this long effort is the fact that by its final rollcall vote today the Senate will, I am sure, confirm the amendment which I offered in the joint committee with the support of Senator BOGGS to create at long last a Senate Standing Committee on Veterans Affairs. It is good to know that this long-sought objective has at last been achieved. I am sure such a committee will serve America's veterans well, and they deserve our thanks for the long and untiring efforts they have devoted to the establishment of such a committee.

As ranking Republican member of the joint committee, I also take great satisfaction that this evenly divided group between Democrats and Republicans incorporated in its resolutions a number of important changes which will accrue to the advantage of the minority in making its impact felt upon our congressional deliberations. For the information of the Senate, let me list a few of the more important recommendations which will be of significance to whichever party happens to be in the minority in either House of Congress as the political pendulum continues its age-old practice of swinging first one way and then the other.

From now on, once the House has approved the reform package upon which we are about to vote, a public announcement of committee hearings must be made at least 1 week in advance of such hearings. This will be helpful to all Members of the Congress but especially to minority Members since the chairmanships are held by the majority party.

Secondly, from now on by law the minority shall be entitled to call witnesses as a matter of right rather than of privilege to testify on legislative proposals. Most committee chairmen permit this now, but where this reform is needed, it is needed seriously.

A third advantage, is that this legislation stipulates that time shall be provided for the minority to submit its views for committee reports and that such views shall be printed in the same volume as those of the majority.

A fourth reform is that from now on individual Members of the Senate cannot by themselves prevent committees from meeting while the Senate is in session. From now on, either the majority leader or the minority leader or both can prevent such meetings and the leader of each party shall have equal authority in these determinations.

Minority Members will find reform No. 5 of great significance since it provides that at least two authorized committee professional staff people and one clerical position shall be appointed by and assigned to the minority upon request of the minority. Disproportionate and inequitable staffing has long been a plague confronted by the minority. This reform moves in the direction of much-needed reform.

In this connection, a sixth safeguard is provided the minority by provisions in the legislation that hereafter the minority shall have fair consideration in staffing subcommittees and minority staff members shall be entitled to equitable treatment.

The seventh provision which I should like to call to your attention in this area of activity is the provision for review specialists for committees so that they can more effectively carry out their responsibilities in supervising and reviewing the manner in which the executive departments and agencies carry out the intent of Congress in the administration of legislation which has been enacted.

A very important new departure is provided as an eighth reform of special interest to the minority position in any Congress and that is the provision that individual or minority explanatory views may hereafter be filed with conference reports and that the Senate for the first time will receive a written conference report prepared by the conference managers on the part of the Senate.

A ninth reform beneficial to the minority applies to House Members only but it provides for the first time that the minority shall be allotted half of the total time allowed for floor debate devoted to the consideration of a conference report. Heretofore, the minority has received its time solely at the pleasure of the chairman of the committee who, of course, is a member of the majority party.

Of benefit to all Members of Congress—but especially to minority Members—is a reform which provides that hearings and reports following committee action on legislation shall be made available to all Members at least 3 days prior to floor consideration of the measure. Thus "buying a pig in a poke" is going to become more infrequent as Congress acts on legislation. The only way this provision can be waived is by joint concurrence of the majority and the minority leaders of the Congress.

There are many other reforms in this legislation and many other changes beneficial to a better balance of influence between the majority and the minority parties, Mr. President, but I wanted to call attention to the foregoing 10 as somewhat typical of what has been accomplished. I again urge the Senate to vote favorably on this final vote for approval of this significant legislation.

Mr. GRIFFIN. Mr. President, I rise to voice my support of congressional reform in general, and of S. 355 in particular.

Having served as a House member of the Joint Committee on the Organization of Congress, I am well aware of the conscientious and praiseworthy service performed by the distinguished Senator from Oklahoma [Mr. MONRONEY] as chairman of the Joint Organization Committee and by our Senate colleagues who served with him on that committee.

They have not claimed that the legislation is perfect in every respect. Some amendments have been accepted as improvements upon, and further clarification of, the committee's work.

In any bill as complex and wide-ranging as S. 355, there are bound to be places where the language can be strengthened or clarified in one respect or another.

As we seek to evaluate the committee's work, we might keep in mind that the resolution creating the Joint Committee on the Organization of the Congress was adopted by a unanimous vote of both Houses.

The committee held extensive hearings, and I think it is interesting to note, looking back over the record, that of the more than 200 witnesses who appeared before the committee, almost half were Members of Congress.

In other words, nearly one-fifth of the total membership of the 89th Congress were sufficiently concerned about the slippage in prestige, efficiency, or power of the first branch of Government to bestir themselves and appear before, or submit statements to, the Committee on the Organization of the Congress.

The final report of the committee was filed with the Congress on July 28, 1966, and legislation to implement the report was introduced late in the 89th Congress in both Houses. In other words, the Members of Congress had ample time over the Christmas holidays to acquaint themselves with the committee's recommendations and the legislation.

Historians are not likely to write that the Congress acted hastily on the question of reform in the 1960's.

In an article entitled "Inside the 20th Century," and published in the January 12, 1965, issue of Look magazine, author John Gunther observed:

> There have been more changes in the past sixty-five years than in all other centuries put together. . . . In the old days, we could deal with political affairs sector by sector. We could confront crises one at a time. Now, everything is inextricably conjoined and interlocked, and the sheer mass of what we have to take in is overwhelming.

During the 89th Congress, a total of 21,999 bills were introduced in the House, another 4,567 in the Senate.

To indicate the extent of change, it might be noted that, in 1946, the year of the passage of the first Reorganization Act, the Legislative Reference Service of the Library of Congress handled 16,444 inquiries with a staff of 95. Last year, with little more than double that staff, the Service handled 113,628 requests, a workload increase of almost 700 percent.

To be sure, this bill is not a complete answer to the need for congressional reform and reorganization. However, Mr. President, the bill does represent a significant step in the right direction.

I hope the bill will have the overwhelming support of the Senate.

Mr. BOGGS. Mr. President, the Senate has worked long and hard on S. 355, the Legislative Reorganization Act of 1967. It is my opinion that its ultimate passage will help the Congress to do a more effective job and uphold the legislative branch as a vigorous and vital arm of our Federal Government system.

At this time I would like to express my sincere congratulations and thanks to the senior Senator from Oklahoma for his dedicated and skilled direction in steering this legislation through the Senate.

At the same time I would like to take note also of the unflagging efforts of the Chief Counsel of the Joint Committee on the Organization of the Congress, W. DeVier Pierson. He has been a source of

great strength throughout the long consideration which this legislation has received. The staff which has worked with him likewise deserves commendation.

Mr. MORSE. Mr. President, Senators may recall that the original La Follette-Monroney reorganization proposal of 1946 contained a provision setting up a Committee on Veterans' Affairs in the House and in the Senate. Before the measure became law, the bill was amended to eliminate the veterans committee in the Senate.

I felt that was a mistake. After serving as chairman of the Veterans' Subcommittee of the Labor Committee in the 80th Congress—as a Republican—I was more convinced than before that veterans matters deserved a committee of their own.

In the 82d Congress, I joined as a cosponsor with 35 other Senators in offering Senate Resolution 148 to correct this omission, but no action was taken on it.

In 1956, I introduced my own resolution for this purpose, Senate Resolution 319. That year we had several major veterans bills that failed to be considered in the Senate. They were scattered around among the major committees, and although the bills were important to veterans, they were passed over by committees having legislation to work on that was of more general national importance.

In 1959, I introduced Senate Resolution 19, with nearly 30 cosponsors. This time, it reached the hearing process in the Senate Rules Committee. Although my resolution did not reach the Senate floor, I believe the public hearing was important in keeping veterans organizations and other interested parties informed of the wide support for the committee in the Senate.

Since then, I have continued to sponsor or cosponsor resolutions for this purpose. This year, I have joined Senator RANDOLPH in his Resolution 16. Fortunately, this reorganization bill has wisely incorporated into it the standing veterans committee for the Senate, effectively enacting Senate Resolution 16.

It is gratifying that this longstanding objective has been achieved, insofar as Senate passage is concerned, and it is one reason why I shall vote for S. 355.

Mr. MONRONEY. Mr. President, I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

Mr. MONRONEY. Mr. President, I yield back my remaining time on the bill.

Mr. MORTON. Mr. President, I yield back the remaining time on the bill on this side of the aisle.

The PRESIDING OFFICER. All remaining time on the bill has been yielded back. The question is on final passage. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Alaska [Mr. GRUENING], the Senator from Washington [Mr. MAGNUSON], the Senator from Wyoming [Mr. MCGEE], the Senator from Montana [Mr. METCALF], the Senator from Maine [Mr. MUSKIE], and the Senator from Rhode Island [Mr. PASTORE] are absent on official business.

I also announce that the Senator from Indiana [Mr. HARTKE], the Senator from Utah [Mr. MOSS], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Alaska [Mr. GRUENING], the Senator from Indiana [Mr. HARTKE], the Senator from Washington [Mr. MAGNUSON], the Senator from Wyoming [Mr. MCGEE], the Senator from Montana [Mr. METCALF], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], and the Senator from Rhode Island [Mr. PASTORE] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Tennessee [Mr. BAKER] and the Senator from Utah [Mr. BENNETT] are necessarily absent.

The Senator from Massachusetts [Mr. BROOKE], the Senator from Kentucky [Mr. COOPER], the Senator from Wyoming [Mr. HANSEN], and the Senator from Oregon [Mr. HATFIELD] are absent on official business.

If present and voting, the Senator from Tennessee [Mr. BAKER], the Senator from Utah [Mr. BENNETT], the Senator from Massachusetts [Mr. BROOKE], the Senator from Kentucky [Mr. COOPER], the Senator from Wyoming [Mr. HANSEN], and the Senator from Oregon [Mr. HATFIELD] would each vote "yea."

The result was announced—yeas 75, nays 9, as follows:

[No. 57 Leg.]

YEAS—75

Allott	Hart	Morse
Anderson	Hayden	Morton
Bayh	Hickenlooper	Mundt
Bible	Holland	Murphy
Boggs	Hollings	Nelson
Brewster	Hruska	Pearson
Burdick	Inouye	Pell
Byrd, Va.	Jackson	Percy
Byrd, W. Va.	Javits	Prouty
Cannon	Jordan, N.C.	Proxmire
Carlson	Jordan, Idaho	Randolph
Case	Kennedy, Mass.	Ribicoff
Church	Kennedy, N.Y.	Scott
Clark	Kuchel	Smathers
Cotton	Lausche	Smith
Curtis	Long, Mo.	Spong
Dirksen	Long, La.	Symington
Dodd	Mansfield	Thurmond
Dominick	McClellan	Tower
Ervin	McGovern	Tydings
Fannin	McIntyre	Williams, N.J.
Fong	Miller	Williams, Del.
Gore	Mondale	Yarborough
Griffin	Monroney	Young, N. Dak.
Harris	Montoya	Young, Ohio

NAYS—9

Aiken	Fulbright	Russell
Eastland	Hill	Stennis
Ellender	McCarthy	Talmadge

NOT VOTING—16

Baker	Hansen	Moss
Bartlett	Hartke	Muskie
Bennett	Hatfield	Pastore
Brooke	Magnuson	Sparkman
Cooper	McGee	
Gruening	Metcalf	

So the bill (S. 355) was passed, as follows:

S. 355

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act, divided into titles, parts, and sections according to the following table of contents, may be cited as the "Legislative Reorganization Act of 1967".

TABLE OF CONTENTS

TITLE I—THE COMMITTEE SYSTEM

Sec. 101. Rulemaking power of Senate and House.

PART 1—PROVISIONS APPLICABLE TO BOTH HOUSES

Sec. 102. Committee procedure.
Sec. 103. Committee hearing procedure.
Sec. 104. Committee powers.
Sec. 105. Legislative review by standing committees.
Sec. 106. Conference reports.

PART 2—PROVISIONS APPLICABLE TO THE SENATE

Sec. 121. Jurisdiction of standing committees of the Senate.
Sec. 122. Committee membership.

PART 3—PROVISIONS APPLICABLE TO THE HOUSE OF REPRESENTATIVES

Sec. 131. Jurisdiction of standing committees of the House of Representatives.

TITLE II—FISCAL CONTROLS

Sec. 201. Rulemaking power of Senate and House.

PART 1—BUDGETARY AND FISCAL INFORMATION AND DATA

Sec. 202. Data processing system.
Sec. 203. Standard classifications.
Sec. 204. Availability of data.
Sec. 205. Cost effectiveness studies.
Sec. 206. Current budget information.
Sec. 207. Powers and duties of Comptroller General.
Sec. 208. Definition.

PART 2—THE BUDGET

Sec. 221. Supplemental budget information.

PART 3—THE APPROPRIATIONS PROCESS

Sec. 231. Committee hearings.
Sec. 232. Budget review.
Sec. 233. Committee action.
Sec. 234. Passage of bills.
Sec. 235. Rollcall vote required on measures changing compensation of Members of Congress.

PART 4—UTILIZATION OF REPORTS OF GENERAL ACCOUNTING OFFICE

Sec. 241. Assistance to committees.
Sec. 242. Reports to commitees.
Sec. 243. Agency reports.

PART 5—LEGISLATIVE COMMITTEES

Sec. 251. Cost estimates.
Sec. 252. Appropriations on annual basis.
Sec. 253. Committee jurisdiction.

TITLE III—SOURCES OF INFORMATION

PART 1—STAFFS OF SENATE AND HOUSE STANDING COMMITTEES

Sec. 301. Committee staffing and related provisions.

PART 2—OFFICE STAFFS AND ALLOWANCES OF MEMBERS OF CONGRESS

Sec. 321. Legislative assistants for Senators.
Sec. 322. Additional travel allowances.
Sec. 323. Telecommunications.
Sec. 324. Conversion of pay rates of Senate employees to gross rate basis.

PART 3—LEGISLATIVE RESEARCH SERVICE

Sec. 331. Improvement of legislative research facilities of Congress.
Sec. 332. Joint Committee on the Library.
Sec. 333. Abolishment of Office of Coordinator of Information.
Sec. 334. Saving provision.
Sec. 335. Senate public address system.

TITLE IV—CONGRESS AS AN INSTITUTION

PART 1—JOINT COMMITTEE ON CONGRESSIONAL OPERATIONS

Sec. 401. Establishment of Joint Committee on Congressional Operations.
Sec. 402. Duties of Joint Committee.
Sec. 403. Powers of Joint Committee.

Sec. 404. Staff of Joint Committee.
Sec. 405. Records of Joint Committee.
Sec. 406. Transfer of functions.
Sec. 407. Office of Placement and Office Management.
Sec. 408. Expenses.

PART 2—AUTHORITY OF OFFICERS OF THE CONGRESS

Sec. 421. Authority.
Sec. 422. Capitol Police.
Sec. 423. Senate and House pages.
Sec. 424. Capitol Guide Service.

PART 3—CONGRESSIONAL ADJOURNMENT

Sec. 433. Congressional adjournment.

PART 4—APPOINTMENT OF POSTMASTERS

Sec. 441. Appointment of postmasters by Postmaster General.
Sec. 442. Vacancies in positions of postmaster.
Sec. 443. Vacancies on rural routes.
Sec. 444. Saving provision.

PART 5—REVISION OF HOUSE EMPLOYEES POSITION CLASSIFICATION ACT

Sec. 451. Application of House Employees Position Classification Act.
Sec. 452. Authority to recommend compensation revisions.
Sec. 453. Revisions with respect to position standards and descriptions and position placement in compensation schedules.
Sec. 454. Step increases.
Sec. 455. Appointments and reclassifications to higher compensation levels.
Sec. 456. Reductions in compensation level.
Sec. 457. Initial appointments.
Sec. 458. Establishment of positions.
Sec. 459. Authority generally.
Sec. 460. Conforming amendment.
Sec. 461. Saving provision.
Sec. 462. House Publications Distribution Service.

PART 6—PAYROLL ADMINISTRATION IN THE HOUSE OF REPRESENTATIVES

Sec. 471. Conversion of pay to aggregate rate basis in House of Representatives.

PART 7—MISCELLANEOUS

Sec. 481. Stationery allowances of Senators and Representatives.

TITLE V—REGULATION OF LOBBYING

Sec. 501. Definition of Comptroller General.
Sec. 502. Multipurpose contributions and expenditures.
Sec. 503. Five-year preservation of records.
Sec. 504. Substantial purpose controlling.
Sec. 505 Contingent fees; broadcasting.
Sec. 506. Administration by Comptroller General.
Sec. 507. Violation of regulations.

TITLE VI—EFFECTIVE DATES

Sec. 601. Effective dates.

TITLE I—THE COMMITTEE SYSTEM

RULEMAKING POWER OF SENATE AND HOUSE

SEC. 101. The following sections of this title are enacted by the Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply; and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House.

PART 1—PROVISIONS APPLICABLE TO BOTH HOUSES

COMMITTEE PROCEDURE

SEC. 102. (a) Section 133(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 190a) is amended by adding at the end thereof the following new sentences: "If the chairman of any such committee, after three days' consideration, refuses or fails, upon the request of at least three members of the committee, to call a special meeting of the committee within seven calendar days from the date of said request, then upon the filing with the clerk of the committee of the written and signed request of a majority of the committee for a called special meeting of the committee, the committee shall meet on the day and hour specified in said written request. It shall be the duty of the clerk of the committee to notify all members of the committee in the usual way of such called special meeting. If the chairman of the committee is not present at any committee meeting, the senior member of the majority party who is present shall preside at that meeting.".

(b) Section 133(b) of that Act is amended to read as follows:

"(b) Meetings for the transaction of business of each such committee, other than the conduct of hearings, shall be open to the public except during executive sessions for marking up bills or for voting or when the committee by a majority vote orders an executive session. Each such committee shall keep a complete record of all committee action. Such record shall include a record of the votes on any question on which a record vote is demanded. The results of rollcall votes taken in any meeting of any such committee upon any measure, or any amendment thereto, shall be announced in the committee report on that measure unless previously announced by the committee, and such announcement shall include a tabulation of the votes cast in favor of and the votes cast in opposition to each such measure and amendment by each member of the committee who was present at that meeting.".

(c) Section 133(c) of that Act is amended by adding at the end thereof the following new sentences: "In any event, the report of any such committee upon a measure which has been approved by the committee shall be filed within seven calendar days (exclusive of days on which the Senate or House of Representatives, as the case may be, is not in session) after the day on which there has been filed with the clerk of the committee a written and signed request of a majority of the committee for the reporting of that measure. Upon the filing of any such request, the clerk of the committee shall transmit immediately to the chairman of the committee notice of the filing thereof.".

(d) Section 133(d) of that Act is amended by adding at the end thereof the following new sentences: "The vote of the committee to report a measure or matter shall require the concurrence of a majority of the members of the committee who are present. No vote of any member of any such committee to report a measure or matter may be cast by proxy if rules adopted by such committee forbid the casting of votes for that purpose by proxy, however, proxies shall not be voted for such purpose except when the absent committee member has been informed of the matter on which he is being recorded and has affirmatively requested that he be so recorded. Action by any such committee in reporting any measure or matter in accordance with the requirements of this subsection shall constitute the ratification by the committee of all action theretofore taken by the committee with respect to that measure or matter, including votes taken upon the measure or matter or any amendment thereto, and no point of order shall lie with respect to that measure or matter on the ground that such previous action with respect thereto by such committee was not taken in compliance with such requirements. Whenever any such committee by rollcall vote reports any measure or matter, the report of the committee upon such measure or matter shall include a tabulation of the votes cast in favor of and the votes cast in opposition to such measure or matter by each member of the committee. Nothing contained in this subsection shall abrogate the power of any committee of either House to adopt rules (1) providing for proxy voting on all matters other than the reporting of a measure or matter, or (2) providing in accordance with the rules of that House for a lesser number as a quorum for any action other than the reporting of a measure or matter.".

(e) Section 133 of that Act is amended by striking out subsections (e) and (f), and inserting in lieu thereof the following:

"(e) If, at the time of approval of a measure by any such committee, any member of the committee gives notice of intention to file supplemental or minority views, each such member shall be entitled to no less than one day in which to file such views with the clerk of the committee in writing. All such views so filed by one or more members of the committee shall be included within and shall be a part of the report filed by the committee with respect to that measure. The report of such committee upon such measure shall be printed in a single volume which shall include all supplemental or minority views which have been submitted at the time of the filing of the committee report, and shall bear upon its cover a recital that supplemental or minority views are included as a part of the report.

"Nothing contained in this subsection shall preclude—

"(A) The immediate filing and printing of a committee report unless a timely request for the opportunity to file supplemental or miniority views has been made as provided by this subsection; or

"(B) The filing by any standing committee of any supplemental report upon any measure which may be required for the correction of any technical error in a previous report made by such committee upon such measure.

"(f) The report of any such committee of either House of the Congress upon any measure shall be filed in that House at least three calendar days (exclusive of Saturdays, Sundays, and legal holidays) before any vote is taken upon that measure in that House. If there have been hearings held upon any such measure so reported in either such House, the committee shall make every reasonable effort to have such hearings printed and available for distribution to Members of that House prior to consideration of the measure. This section shall not apply to any measure for the declaration of war or the declaration of a national emergency by the Congress. In any event, this section may be waived by joint agreement of the majority leader and minority leader of the Senate or the Speaker and the minority leader of the House of Representatives upon a finding that in their opinion such waiver is required because of the imminence of sine die adjournment, the expiration of the Act sought to be amended or to meet the immediate financial needs of the Government.

"(g) Each such committee which, in any year beginning on or after January 1, 1968, requires authorization for the expenditure of funds in excess of the amount specified by section 134(a) of this Act shall offer one annual authorization resolution to procure such authorization. Each such annual authorization resolution shall include a specification of the amount of all such funds sought by such committee for expenditure by all subcommittees thereof during that year and the amount so sought for each such subcommittee. The annual authorization resolution of any such committee of either House of the Congress for each year beginning on or after January 1, 1968, shall be offered not later than January 31 of that year, except that, whenever the designation of members of standing committees of that House occurs during the first session of any Con-

gress at a date later than January 20 such resolution may be offered by any standing committee of that House at any time within thirty days after the date on which a majority of the members of such committee have been designated during that session. After the date on which an annual authorization resolution has been offered by any such committee in any year, or the last date on which such committee pursuant to the preceding sentence may offer such a resolution, whichever date occurs earlier, such committee in any year may procure authorization for the expenditure of funds in excess of the amount specified by section 134(a) of this Act only by offering a supplemental authorization resolution. Each such supplemental authorization resolution shall specify with particularity the purpose for which such authorization is sought, and shall contain an explicit statement of the reason why authorization for the expenditures described therein could not have been sought at the time of, or within the period provided for, the submission by such committee of an annual authorization resolution for that year. The minority shall receive fair consideration in the appointment of staff personnel pursuant to such resolution".

"(h) The foregoing provisions of this section do not apply to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives.".

COMMITTEE HEARING PROCEDURE

SEC. 103. (a) Part 3 of title I of the Legislative Reorganization Act of 1946 is amended by inserting therein, immediately after section 133 thereof, the following new section:

COMMITTEE HEARING PROCEDURE

"SEC. 133A. (a) Each standing committee of the Senate and the House of Representatives (except the Committees on Appropriations) shall make public announcement of the date, place, and subject matter of any hearing to be conducted by the committee upon any measure or matter at least one week before the commencement of that hearing unless the committee determines that there is good cause to begin such hearing at an earlier date.

"(b) Each hearing conducted by each such committee shall be open to the public except when the committee determines that the testimony to be taken at that hearing may relate to a matter of national security, may tend to reflect adversely on the character or reputation of the witness or any other individual, or may divulge matters deemed confidential under other provisions of law or Government regulation. Whenever any such hearing is open to the public, that hearing may be broadcast by radio or television, or both, under such rules that the committee may adopt.

"(c) Each such committee shall require each witness who is to appear before the committee in any hearing to file with the clerk of the committee, at least one day before the date of the appearance of that witness, a written statement of his proposed testimony unless the committee chairman and ranking minority member determine that there is good cause for the failure of the witness to file such a statement in compliance with this subsection. If so requested by any such committee, the staff of the committee shall prepare for the use of members of the committee before each day of hearing before the committee a digest of the statements which have been so filed by witnesses who are to appear before the committee on that day.

"(d) After the conclusion of each day of hearing, if so requested by any such committee, the staff shall prepare for the use of members of the committee a summary of the testimony given before the committee on that day. After approval by the chairman and the ranking minority member of the committee, each such summary may be printed as a part of the committee hearings if such hearings are ordered by the committee to be printed.

"(e) Whenever any hearing is conducted by any such committee upon any measure or matter, the minority of the committee shall be entitled, upon request made by a majority of the minority members to the chairman before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon.

"(f) Whenever any such committee has reported any measure, by action taken in conformity with the requirements of section 133(d) of this Act, no point of order shall lie with respect to that measure on the ground that hearings upon that measure by that committee were not conducted in accordance with the provisions of this section.

"(g) The foregoing provisions of this section do not apply to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives.".

(b) Title I of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by inserting—

"Sec. 133A. Committee hearing procedure."

immediately below—

"Sec. 133. Committee procedure.".

COMMITTEE POWERS

SEC. 104. Section 134(c) of the Legislative Reorganization Act of 1946 (2 U.S.C. 190b(b)) is amended to read as follows:

"(c) Except as hereinafter provided, no standing committee of the Senate or the House shall sit, without special leave, while the Senate or the House, as the case may be, is in session. The prohibition contained in the preceding sentence shall not apply to the Committee on Appropriations of the Senate or to the following committees of the House of Representatives: the Committee on Appropriations, the Committee on Government Operations, the Committee on Rules, and the Committee on Un-American Activities. Any other standing committee of the Senate may sit for any purpose while the Senate is in session if consent therefor has been obtained from the majority leader and the minority leader of the Senate. Any other standing committee of the House of Representatives may conduct a hearing while the House is in session if consent therefor has been obtained from the Speaker and the minority leader of the House. In the event of the absence of any such officer or leader, the consent of such officer or leader may be given by a Member of that House of which such officer or leader is a Member designated by him for that purpose. Notwithstanding the provisions of this subsection, any standing committee of the Senate may sit without special leave for any purpose as authorized by paragraph 7 (paragraph 5 as redesignated by section 122(b) of this Act) of rule XXV of the Standing Rules of the Senate.".

LEGISLATIVE REVIEW BY STANDING COMMITTEES

SEC. 105. (a) Section 136 of the Legislative Reorganization Act of 1946 (2 U.S.C. 190d) is amended to read as follows:

"LEGISLATIVE REVIEW BY STANDING COMMITTEES

"SEC. 136. (a) In order to assist the Congress in—

"(1) its analysis, appraisal, and evaluation of the application, operation, administration, and execution of the laws enacted by the Congress, and

"(2) its formulation, consideration, and enactment of such modifications of or changes in such laws, and of such additional legislation, as it deems necessary or appropriate,

each standing committee of the Senate and House of Representatives shall review and study, on a continuing basis, the application, operation, administration, and execution of those laws, or parts of laws, the subject matter of which is within the jurisdiction of such committee.

"(b) Each standing committee of the Senate and House of Representatives shall—

"(1) conduct the reviews and studies required generally by subsection (a) of this section;

"(2) analyze, appraise, and evaluate reports and other data of the Comptroller General of the United States, and of any other officer or agency of the Government, which are pertinent to reviews, studies, programs, projects, and other matters within the purview of this section and may request the Comptroller General to investigate any report on any matter relating to the receipt, disbursement, and application of public funds under such laws;

"(3) keep currently informed with respect to the regulations, procedures, practices, and policies of the Government pertaining to the application, operation, administration, and execution of the laws, and parts of laws, the subject matter of which is within the jurisdiction of the committee;

"(4) conduct such activities as are necessary and appropriate to carry out the general review and study policies of the committee under this section, including reviews of programs of grants-in-aid referred to in section 252(c) of the Legislative Reorganization Act of 1967; and

"(5) obtain current information regarding—

"(A) the progress, status, and results of reviews, studies, programs, and projects conducted under this section,

"(B) the regulations, procedures, practices, and policies of the Government referred to in subparagraph (3) of this subsection, and

"(C) all other matters within the purview of this subsection.

"(c) Each standing committee of the Senate and House of Representatives is entitled to employ a Review Specialist as a member of the professional staff of such committee in addition to the number of members of such professional staff to which such committee otherwise is entitled. Such Review Specialist shall be selected and appointed by the chairman of such committee, with the prior approval of the ranking minority member, on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform the duties of the position. Such Review Specialist shall, under the joint direction and supervision of the chairman and the ranking minority member, assist the committee in the performance of its review functions under this section.

"(d) Each standing committee of the Senate and House of Representatives shall submit, not later than March 31 of each year beginning on or after January 1, 1968, to the Senate and House of Representatives, respectively, a report on its activities under this section during the immediately preceding calendar year. Such report shall include—

"(1) an analysis of the reviews, studies, programs, and projects of the committee under this section;

"(2) an appraisal and evaluation of the application, operation, administration, and execution of the laws, and parts of laws, the subject matter of which is within the jurisdiction of the committee; and

"(3) such other matters within the purview of this section as may be appropriate to carry out the purposes of this section.

Each such committee shall omit in such report all matters which, in the opinion of the committee, should not be made public in the interest of the national security.

"(e) Within ten days after the submission of all such reports to the Senate and House of Representatives, respectively, the President of the Senate, with respect to the reports submitted to the Senate, and the

Speaker of the House of Representatives, with respect to the reports submitted to the House, shall transmit such reports to—

"(1) the President, with respect to matters concerning the executive branch;

"(2) the Director of the Administrative Office of the United States Courts, with respect to matters concerning the judicial branch;

"(3) the Board of Commissioners of the District of Columbia, with respect to matters concerning the municipal government of the District of Columbia; and

"(4) the heads of other appropriate agencies, corporations, and instrumentalities of the Government.

"(f) As used in this section, the term 'Government' includes the municipal government of the District of Columbia.

"(g) the foregoing provisions of this section do not apply to the Committee on Appropriations of the Senate and the Committee on Appropriations and the Committee on Standards and Conduct of the House of Representatives.".

(b) Title I of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 136. Legislative oversight by standing committees."

and inserting in lieu thereof—

"Sec. 136. Legislative review by standing committees.".

CONFERENCE REPORTS

SEC. 106. (a) The section caption of section 135 of the Legislative Reorganization Act of 1946 (2 U.S.C. 190c) is amended to read as follows:

"CONFERENCE REPORTS".

(b) Section 135 of that Act is amended by adding at the end thereof the following new subsections:

"(c) Each report of a committee of conference shall be printed as a report of each House of the Congress. As printed in each House, each such report shall be accompanied by an explanatory statement prepared by the conferees on the part of that House. Each such statement shall be sufficiently detailed and explicit to inform the House for which it is prepared as to the effect which amendments or propositions contained in such report will have upon the measure to which it relates. If any conferee on the part of either House desires to submit to the House of which he is a Member an additional individual explanatory statement with respect to any such report, such individual statement may be filed as an appendix to, and may be printed together with, the explanatory statement made by the conferees on the part of the House of which he is a Member, if such individual statement is available at the time of the filing of the report of the committee of conference to that House.

"(d) If time for debate in the consideration of any report of a committee of conference upon the floor of either House of the Congress is limited, the time allotted for debate thereon shall be divided equally between Members of that House who favor agreement to such report and Members of that House who do not favor argeement to such report.".

(c) The item relating to section 135 contained in the table of contents of that Act is amended to read:

"Sec. 135. Conference reports.".

PART 2—PROVISIONS APPLICABLE TO THE SENATE

JURISDICTION OF STANDING COMMITTEES OF THE SENATE

SEC. 121. Paragraph 1 of Rule XXV of the Standing Rules of the Senate is amended—

(1) by striking out in subparagraph (e)—

"Committee on Banking and Currency,"

and inserting in lieu thereof—

"Committee on Banking, Housing and Urban Affairs,";

(2) by adding at the end of subparagraph (e) the following item:

"10. Urban affairs generally.";

(3) by striking out in subparagraph (h) (relating to the Committee on Finance) the following numbered items—

"10. Veterans' measures generally.

"11. Pensions of all the wars of the United States, general and special.

"12. Life insurance issued by the Government on account of service in the armed forces.

"13. Compensation of veterans.";

(4) by striking out in subparagraph (m) (relating to the Committee on Labor and Public Welfare)—

"16. Vocational rehabilitation and education of veterans.

"17. Veterans' hospitals, medical care and treatment of veterans.

"18. Soldiers' and sailors' civil relief.

"19. Readjustment of servicemen to civil life.";

(5) by adding at the end thereof the following new subparagraph—

"(q) Committee on Veterans' Affairs, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures generally.

"2. Pensions of all the wars of the United States, general and special.

"3. Life insurance issued by the Government on account of service in the armed forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life.

"9. National cemeteries."; and

(6) by striking out in subparagraph (k) (relating to the Committee on Interior and Insular Affairs) the following item—

"5. Military parks and battlefields, and National cemeteries."

and inserting in lieu thereof—

"5. Military parks and battlefields."

COMMITTEE MEMBERSHIP

SEC. 122. (a) Paragraph 1 of rule XXV of the Standing Rules of the Senate, as such paragraph existed on the day preceding the date of enactment of section 121 of this Act, is amended—

(1) by striking out in subparagraph (a) the words "to consist of sixteen Senators,";

(2) by striking out in subparagraph (b) the words "to consist of fifteen Senators,";

(3) by striking out in subparagraph (c) the words "to consist of twenty-six Senators,";

(4) by striking out in subparagraph (d) the words "to consist of eighteen Senators,";

(5) by striking out in subparagraph (e) the words "to consist of fourteen Senators,";

(6) by striking out in subparagraph (f) the words "to consist of eighteen Senators,";

(7) by striking out in subparagraph (g) the words "to consist of eight Senators,";

(8) by striking out in subparagraph (h) the words "to consist of seventeen Senators,";

(9) by striking out in subparagraph (i) the words "to consist of nineteen Senators,";

(10) by striking out in subparagraph (j) (1) the words "to consist of fifteen Senators,";

(11) by striking out in subparagraph (k) the words "to consist of seventeen Senators,";

(12) by striking out in subparagraph (l) the words "to consist of sixteen Senators,";

(13) by striking out in subparagraph (m) the words "to consist of sixteen Senators,";

(14) by striking out in subparagraph (n) the words "to consist of twelve Senators,";

(15) by striking out in subparagraph (o) the words "to consist of sixteen Senators,"; and

(16) by striking out in subparagraph (p) (1) the words "to consist of nine Senators,".

(b) Paragraphs 2, 3, 4, and 5 of rule XXV of the Standing Rules of the Senate are redesignated as paragraphs 4, 5, 6, and 7 thereof, respectively.

(c) Rule XXV of the Standing Rules of the Senate is amended by inserting, immediately after paragraph 1, the following new paragraphs:

"2. Except as otherwise provided by paragraph 6 of this rule, each of the following standing committees shall consist of the number of Senators set forth in the following table on the line on which the name of that committee appears:

"Committee	Members
"Aeronautical and Space Sciences	14
"Agriculture and Forestry	13
"Appropriations	26
"Armed Services	15
"Banking, Housing, and Urban Affairs	15
"Commerce	15
"Finance	15
"Foreign Relations	15
"Government Operations	14
"Interior and Insular Affairs	14
"Judiciary	15
"Labor and Public Welfare	15
"Public Works	14

"3. Except as otherwise provided by paragraph 6 of this rule, each of the following standing committees shall consist of the number of Senators set forth in the following table on the line on which the name of that committee appears:

"Committee	Members
"District of Columbia	7
"Post Office and Civil Service	9
"Rules and Administration	9
"Veterans' Affairs	9.".

(d) Paragraph 6 of rule XXV of the Standing Rules of the Senate (as redesignated) is amended to read as follows:

"6. (a) Except as otherwise provided by this paragraph, each Senator shall serve on two and no more of the standing committees named in paragraph 2. Except as otherwise provided by this paragraph, no Senator shall serve on more than one committee included within the following classes: standing committees named in paragraph 3; select and special committees of the Senate; and joint committees of the Congress.

"(b) Each Senator who on the day preceding the effective date of title I of the Legislative Reorganization Act of 1967 was serving as a member of any standing committee shall be entitled to continue to serve on each such committee of which he was a member on that day as long as his service as a member of such committee remains continuous after that day. Each Senator who (1) on that day was serving as a member of the Committee on Aeronautical and Space Sciences or the Committee on Government Operations, (2) on that date was entitled, under the proviso contained in the first sentence of paragraph 4 of this rule as such rule existed on that day, to serve on three committees named in that sentence, and (3) on June 30, 1971, is serving on three such committees, of which at least one is the Committee on Aeronautical and Space Sciences or the Committee on Government Operations, shall be entitled to continue to serve on each of the committees of which he is a member on June 30, 1971, so long as his service as a member of each such committee remains continuous thereafter. Each Senator who on the day preceding the effective date of title I of the Legislative Reorganization Act of 1967 was a member of more than one committee of the classes described in the second sentence of subparagraph (a) shall be entitled to serve on each

such committee of which he was a member on that day as long as his service as a member of that committee remains continuous after that day. Notwithstanding the provisions of paragraphs 2 and 3, each committee of the Senate shall be temporarily increased in membership by such number as may be required to carry into effect the provisions of this subparagraph.

"(c) By agreement entered into by the majority leader and the minority leader, the membership of one or more of the standing committees named in paragraph 2 or paragraph 3 of this rule may be increased temporarily from time to time by such number or numbers as may be required to accord to the majority party a majority of the membership of all standing committees. When any such temporary increase is necessary to accord to the majority party a majority of the membership of all standing committees, members of the majority party in such number as may be required for that purpose may serve as members of three standing committees named in paragraph 2. No such temporary increase in the membership of one or more standing committees under this subparagraph or subparagraph (a) shall be continued in effect after the need therefor has ended. No standing committee may be increased in membership under this subparagraph or subparagraph (a) by more than four members in excess of the number prescribed for that committee by paragraph 2 or paragraph 3 of this rule.

"(d) Notwithstanding the limitations contained in subparagraph (a), a Senator may serve at any time on one additional committee included within the following classes: a temporary committee of the Senate or a temporary joint committee of the Congress which, by the terms of the measure by which it was established as initially agreed to, will not continue in existence for more than one Congress; or a joint committee of the Congress having jurisdiction with respect to a subject matter which is directly related to the jurisdiction of a committee named in paragraph 3 of which that Senator is a member.

"(e) No Senator shall serve at any time on more than one of the following committees: Committee on Appropriations, Committee on Armed Services, Committee on Finance, and Committee on Foreign Relations. Notwithstanding the limitation contained in this subparagraph, a Senator who on the day preceding the effective date of title I of the Legislative Reorganization Act of 1967 was a member of more than one such committee may continue to serve as a member of each such committee of which he was a member on that day as long as his service on that committee remains continuous after that day.

"(f) No Senator shall serve at any time as chairman of more than one committee included within the following classes: standing, select, and special committees of the Senate; and joint committees of the Congress, except that—

"(1) A Senator may serve as chairman of a joint committee of the Congress having jurisdiction with respect to a subject matter which is directly related to the jurisdiction of a committee named in paragraph 2 or paragraph 3 of which that Senator is the chairman;

"(2) A Senator who on the day preceding the effective date of title I of the Legislative Reorganization Act of 1967 was serving as chairman of more than one committee included within the classes described in this subparagraph may continue to serve as chairman of each such committee of which he was chairman on that day as long as his service as chairman of that committee remains continuous after that day; and

"(3) A Senator who is serving at any time as chairman of a committee included within the classes described in this subparagraph may at the same time serve also as chairman of one temporary committee of the Senate or temporary joint committee of the Congress which, by the terms of the measure by which it was established as originally agreed to, will not continue in existence for more than one Congress.

"(g) No Senator shall serve at any time as chairman of more than one subcommittee of the same committee if that committee is named in paragraph 2. Notwithstanding the limitation contained in this subparagraph, a Senator who on the day preceding the effective date of title I of the Legislative Reorganization Act of 1967 was serving as chairman of more than one such subcommittee may continue to serve as chairman of each such subcommittee of which he was chairman on that day as long as his service as chairman of that subcommittee remains continuous after that day.".

PART 3—PROVISIONS APPLICABLE TO THE HOUSE OF REPRESENTATIVES

JURISDICTION OF STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

SEC. 131. (a) Clause 1 of rule X of the Rules of the House of Representatives is amended—

(1) by striking out—

"(d) Committee on Banking and Currency, to consist of twenty-seven Members."

and inserting in lieu thereof—

"(d) Committee on Banking, Housing, and Urban Affairs, to consist of twenty-seven Members.";

(2) by striking out—

"(f) Committee on Education and Labor, to consist of twenty-five Members."

and inserting in lieu thereof—

"(f) Committee on Education, to consist of twenty-five Members.";

(3) by inserting—

"(m) Committee on Labor and Public Welfare, to consist of twenty-five Members."

immediately below—

"(l) Committee on the Judiciary, to consist of twenty-seven Members.";

(4) by redesignating paragraph (m), (n), (o), (p), and (q) as paragraphs (n), (o), (p), (q), and (r), respectively;

(5) by inserting immediately below paragraph (q) thereof (relating to the Committee on Science and Astronautics), redesignated as paragraph (r) by subparagraph (4) of this subsection, the following new paragraph (s):

"(s) Committee on Standards and Conduct, to consist of twelve Members."; and

(6) by redesignating paragraphs (r), (s), and (t) as paragraphs (t), (u), and (v), respectively.

(b) Rule XI of the Rules of the House of Representatives is amended—

(1) by striking out in clause 1 thereof (relating to the Committee on Agriculture)—

"(d) Agricultural colleges and experiment stations.

"(e) Agricultural economics and research.

"(f) Agricultural education extension services."

and inserting in lieu thereof—

"(d) Agricultural economics and research.";

(2) by redesignating paragraphs (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), and (q) of such clause 1 as paragraphs (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), and (o), respectively;

(3) by striking out—

"4. Committee on Banking and Currency."

and inserting in lieu thereof—

"4. Committee on Banking, House, and Urban Affairs.";

(4) by adding at the end of clause 4 thereof (relating to the Committee on Banking, Housing, and Urban Affairs)—

"(j) Urban affairs generally.";

(5) by striking out—

"6. Committee on Education and Labor.

"(a) Measures relating to education or labor generally.

"(b) Child labor.

"(c) Columbia Institution for the Deaf, Dumb, and Blind; Howard University; Freedmen's Hospital; and Saint Elizabeths Hospital.

"(d) Convict labor and the entry of goods made by convicts into interstate commerce.

"(e) Labor standards.

"(f) Labor statistics.

"(g) Mediation and arbitration of labor disputes.

"(h) Regulation or prevention of importation of foreign laborers under contract.

"(i) School-lunch program.

"(j) United States Employees' Compensation Commission.

"(k) Vocational rehabilitation.

"(l) Wages and hours of labor.

"(m) Welfare of miners."

and inserting in lieu thereof—

"6. Committee on Education.

"(a) Measures relating to education generally.

"(b) Agricultural colleges and experiment stations.

"(c) Agricultural educational extension services.

"(d) Mining schools.

"(e) Gallaudet College.

"(f) Howard University (including Freedmen's Hospital.)

"(g) Library services and construction.

"(h) School construction.

"(i) Arts and humanities.

"(j) Vocational education and vocational rehabilitation.

"(k) Scholarships and intercultural activities.

"(l) Special educational programs.

"(m) Measures relating to economic opportunity and alleviation of poverty.

"(n) Public health and quarantine, including the Public Health Service and the National Institutes of Health.";

(6) by striking out in clause 10 thereof (relating to the Committee on Interior and Insular Affairs)—

"(l) Mining schools and experimental stations"

and inserting in lieu thereof—

"(l) Mining experimental stations.";

(7) by striking out in clause 11 thereof (relating to the Committee on Interstate and Foreign Commerce)—

"(e) Public health and quarantine.

"(f) Railroad labor and railroad retirement and unemployment, except revenue measures relating thereto."

and inserting in lieu thereof—

"(e) Railroad retirement and unemployment, except revenue measures relating thereto.";

(8) by redesignating paragraphs (g), (h), (i), and (j) of such clause 11 as paragraphs (f), (g), (h), and (i), respectively;

(9) by striking out in such clause 11—

"(k) Weather Bureau.";

(10) by inserting immediately following clause 12 thereof the following new clause 13:

"13. Committee on Labor and Public Welfare.

"(a) Measures relating to labor or public welfare generally.

"(b) Child labor.

"(c) Labor standards.

"(d) Labor statistics.

"(e) Mediation and arbitration of labor disputes.

"(f) Convict labor and the entry of goods made by convicts into interstate commerce.

"(g) Maritime unions.

"(h) Railroad labor.

"(i) Regulation or prevention of importation of foreign laborers under contract.

"(j) Bureau of Employees' Compensation.

"(k) Wages and hours of labor.

"(l) Welfare of miners.

"(m) Saint Elizabeths Hospital.

"(n) School-lunch program.

"(o) Industrial safety.

"(p) Equal employment opportunities and fair employment practices.

"(q) Manpower development and training generally.";

(11) by redesignating clauses 13, 14, 15, 16, and 17 thereof as clauses 14, 15, 16, 17, and 18 thereof, respectively;

(12) by striking out in clause 13 thereof redesignated as clause 14 by subparagraph (11) of this subsection (relating to the Committee on Merchant Marine and Fisheries)—

"(f) Merchant marine officers and seamen."

and inserting in lieu thereof—

"(f) Merchant marine officers and seamen (except maritime unions).";

(13) by striking out at the end of clause 17 thereof redesignated as clause 18 by subparagraph (11) of this subsection (relating to the Committee on Science and Astronautics)—

"(h) Scientific research and development"

and inserting in lieu thereof—

"(h) Research and development in environmental science, including the Environmental Science Services Administration.

"(i) Scientific research and development generally.";

(14) by inserting immediately following clause 17 thereof, redesignated as clause 18 by subparagraph (11) of this subsection, the following new clause 19:

"19. Committee on Standards and Conduct

"(a) Ethical standards and conduct of Members, officers, and employees of the House of Representatives.

"(b) The Committee on Standards and Conduct shall consist at all times of an even number of Members equally divided between the majority party and the minority party. The committee shall select a chairman and a vice chairman from among its members. The chairman shall be a member of the majority party. The vice chairman shall be a member of the minority party.

"(c) The Committee on Standards and Conduct shall—

"(1) recommend to the House of Representatives by report or resolution, such rules and regulations as the committee determines necessary or desirable to insure proper standards of conduct by Members of the House and by officers and employees of the House, in the performance of their duties and the discharge of their responsibilities; and

"(2) report, by majority vote of its entire membership, violations of laws to the proper Federal and State authorities.

"(d) The committee shall transmit to the House of Representatives its recommendations as to any legislative measures which the committee determines necessary for the effective discharge of its duties whenever the committee, by majority vote of its entire membership, orders such action.

"(e) The committee is authorized to—

"(1) hold such hearings,

"(2) sit and act at such times and places within the United States, including any Commonwealth or possession thereof, whether the House is in session, has recessed, or adjourned, and

"(3) require, by subpena or otherwise, the attendance and testimony (orally or by deposition) of such witnesses, and the production of such books, records, correspondence, papers, and documents,

as the committee deems necessary. Subpenas may be issued under the signature of the chairman of the committee, or by any member of the committee designated by the chairman, and may be served by any person designated by such chairman or committee member so designated. The chairman of the committee, or any member thereof, may administer oaths to witnesses.

"(f) Any hearing held by the committee shall not be open to the public unless and until the committee, by majority vote of its entire membership, orders such hearing to be open to the public.

"(g) As used in this clause, the term 'officers and employees of the House' includes—

"(1) an elected officer of the House who is not a Member of the House;

"(2) an employee of the House, of any committee or subcommittee of the House, or of any Member of the House;

"(3) the Legislative Counsel of the House and any employee of his office;

"(4) an Official Reporter of Debates of the House, an Official Reporter to Committees, and any person employed by the Official Reporters in connection with the performance of their official duties;

"(5) a member of the Capitol Police Force whose compensation is disbursed by the Clerk of the House;

"(6) telephone operators whose compensation is disbursed by the Clerk of the House;

"(7) an employee of the Government Printing Office assigned to duty in any capacity with the House; and

"(8) an employee of a joint committee of the Congress whose compensation is disbursed by the Clerk of the House.";

(15) by redesignating clauses 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30 thereof as clauses 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, and 32 thereof, respectively; and

(16) by striking out in clause 24 thereof redesignated as clause 26 by subparagraph (15) of this subsection (relating to reports of the Committee on House Administration in contested-election cases)—

"except in a contest from the Territory of Alaska, in which case the time shall not exceed nine months".

(c) Rule XII of the Rules of the House of Representatives is amended to read as follows:

"RULE XII

"RESIDENT COMMISSIONER

"The Resident Commissioner to the United States from Puerto Rico shall be elected to serve as an additional member on the Committees on Agriculture, Armed Services, and Interior and Insular Affairs, shall possess in such committees the same powers and privileges as in the House, and may make any motion except a motion to reconsider.".

TITLE II—FISCAL CONTROLS

RULEMAKING POWER OF SENATE AND HOUSE

SEC. 201. Part 3 and part 5 of this title are enacted by the Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply; and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House.

PART 1—BUDGETARY AND FISCAL INFORMATION AND DATA

DATA PROCESSING SYSTEM

SEC. 202. The Comptroller General of the United States, the Secretary of the Treasury, and the Director of the Bureau of the Budget shall develop, establish, and maintain, for use by all Federal agencies, a standardized information and data processing system for budgetary and fiscal data.

STANDARD CLASSIFICATIONS

SEC. 203. (a) The Comptroller General, the Secretary of the Treasury, and the Director of the Bureau of the Budget shall develop, establish, and maintain standard classifications of programs, activities, receipts, and expenditures of Federal agencies in order—

(1) to meet the needs of the various branches of Government; and

(2) to facilitate the development, establishment, and maintenance of the data processing system under section 202 through the utilization of modern automatic data processing techniques.

The initial classifications under this subsection shall be established on or before December 31, 1969.

(b) The Comptroller General, the Secretary of the Treasury, and the Director of the Bureau of the Budget shall perform their functions under section 202 and subsection (a) of this section as part of the joint program established pursuant to section 111(f) of the Accounting and Auditing Act of 1950.

(c) The Comptroller General, the Secretary of the Treasury, and the Director of the Bureau of the Budget shall submit a report to the Senate and the House of Representatives on or before September 1 of each year, commencing with 1968, with respect to the performance during the preceding fiscal year of the functions and duties imposed on them by section 202 and subsection (a) of this section. The reports made under this subsection in 1968 and 1969 shall set forth the progress achieved in the development of classifications under subsection (a) of this section, and the reports made in years thereafter shall include information with respect to changes in, and additions to, classifications previously established.

AVAILABILITY OF DATA

SEC. 204. The Comptroller General shall provide information to the Congress, as provided in this section, on the location and nature of data available in the various Federal agencies with respect to programs, activities, receipts, and expenditures of such agencies. Upon request of any Member of the House or Senate, of any committee of either House, or of any joint committee of the two Houses, the Comptroller General shall—

(1) furnish to such Member, committee, or joint committee information as to the location and nature of such data, and

(2) to the extent feasible, prepare for such Member, committee, or joint committee summary tables of such data.

COST EFFECTIVENESS STUDIES

SEC. 205. The Comptroller General shall have available in the General Accounting Office employees who are expert in analyzing and conducting cost effectiveness studies of Government programs. Upon request of any committee of either House or of any joint committee of the two Houses, the Comptroller General shall assign, on a temporary basis, employees of the General Accounting Office to assist such committee or joint committee, or the staff of such committee or joint committee—

(1) in analyzing cost effectiveness studies furnished by any Federal agency to such committee or joint committee, or

(2) in conducting cost effectiveness studies of programs under the jurisdiction of such committee or joint committee.

CURRENT BUDGET INFORMATION

SEC. 206. (a) After the submission of the budget for any fiscal year by the President, the Comptroller General shall collect information and data available in the various Federal agencies with respect to changes in the figures shown in such budget as submitted, including changes caused by—

(1) new or supplemental requests for appropriations;

(2) the enactment of appropriation Acts, or the action of either the House or Senate on appropriation bills, or of the Committee on Appropriations, or any subcommittees thereof, of the House or Senate on appropriation bills or requests for appropriations;

(3) increases or decreases in expenditures of prior appropriations;

(4) increases or decreases in revenue receipts or estimated revenue receipts; and

(5) increases or decreases in expenditures or estimated expenditures by reason of the

enactment of laws (other than appropriation Acts).

(b) The Comptroller General shall, from time to time, furnish a report showing revised budget information and totals to reflect the information and data collected by him under subsection (a) to each Member of the House and Senate, each committee of the House and Senate, and each joint committee of the two Houses. All such reports shall identify, to the extent necessary, the sources of the information and data reflected in the revised budget information and totals.

(c) Upon request of any Member of the House or Senate, any committee of either House, or any joint committee of the two Houses, the Comptroller General shall, to the extent feasible, prepare and furnish to such Member, committee, or joint committee tabulations of such budget information and data as collected pursuant to this section.

POWERS AND DUTIES OF COMPTROLLER GENERAL

SEC. 207. (a) The Comptroller General shall establish within the General Accounting Office such office or division, or such offices or divisions, as he deems necessary to carry out the functions and duties imposed on him by the provisions of this Part.

(b) The Comptroller General is authorized to obtain, during the period ending December 31, 1969, the services of individual experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not in excess of $200 per diem. Not more than fifteen such experts and consultants may be so employed at any one time and no expert or consultant may be so employed for more than one hundred and twenty days during any calendar year.

(c) The Comptroller General shall include in his annual report to the Congress a report with respect to the performance of the functions and duties imposed on him by the provisions of this Part.

DEFINITION

SEC. 208. As used in this title, the term "Federal agency" means any department, agency, wholly owned Government corporation, establishment, or instrumentality of the Government of the United States or the government of the District of Columbia.

PART 2—THE BUDGET

SUPPLEMENTAL BUDGET INFORMATION

SEC. 221. (a) Section 201 of the Budget and Accounting Act, 1921 (31 U.S.C. 11) is amended by striking out subsections (b), (c), (d), (e), and (f), and inserting in lieu thereof the following:

"(b) On June 1 of each year, beginning with 1968, the President shall transmit to the Congress a supplemental summary of the budget transmitted in January of such year for the ensuing fiscal year. Such supplemental summary shall reflect all changes relating to that fiscal year which have occurred since the transmittal of the budget, including changes caused by—

"(1) revisions in estimates of expenditures and receipts,

"(2) estimated expenditures and proposed appropriations which were not included in the budget as transmitted,

"(3) appropriations enacted after transmittal of the budget, and

"(4) the enactment of laws (other than appropriation Acts) after the transmittal of the budget.

"(c) On or before June 1 of each year, the President shall transmit to the Congress, in such form and detail as he may determine—

"(1) summaries of estimated expenditures, for the four fiscal years following the ensuing fiscal year for which the budget was transmitted in January of such year, which will be required under continuing programs which have a legal commitment for future years or are considered mandatory under existing law, and

"(2) summaries of estimated expenditures in fiscal years following such ensuing fiscal year of balances carried over from such ensuing fiscal year.

"(d) The budget shall include information showing the gross amount of expenditures and estimated expenditures of all programs of the Government.".

(b) Subsections (c) and (d) of section 201 of the Budget and Accounting Act, 1921 (as amended by subsection (a)) shall apply only with respect to the budget transmitted to the Congress for the fiscal year ending June 30, 1970, and for succeeding fiscal years.

PART 3—THE APPROPRIATIONS PROCESS

COMMITTEE HEARINGS

SEC. 231. (a) Each hearing conducted by the Committee on Appropriations of the House of Representatives or the Senate shall be open to the public except when the committee determines that the testimony to be taken at that hearing may relate to a matter of national security, may tend to reflect adversely on the character or reputation of the witness or any other individual, or may divulge matters deemed confidential under other provisions of law or Government regulation. Whenever any such hearing is open to the public, that hearing may be broadcast by radio or television, or both, under such rules as the committee may adopt.

(b) The Committee on Appropriations of the House and the Committee on Appropriations of the Senate shall, within thirty days after the transmittal of the budget to the Congress each year, hold hearings on the budget as a whole with particular reference to—

(1) the basic recommendations and budgetary policies of the President in the presentation of the budget, and

(2) the fiscal, financial, and economic assumptions used as bases in arriving at total estimated expenditures and receipts.

(c) In holding hearings pursuant to subsection (b), the committees shall receive testimony from the Secretary of the Treasury, the Director of the Bureau of the Budget, the Chairman of the Council of Economic Advisers, and such other persons as the committee may desire.

(d) Hearings pursuant to subsection (b) shall be held in open session. A transcript of all such hearings shall be printed and a copy thereof furnished to each Member of the House or Senate, as the case may be.

(e) Hearings pursuant to subsection (b), or any part thereof, may be held before joint meetings of the two committees.

(f)(1) Section 138 of the Legislative Reorganization Act of 1946 (2 U.S.C. 190e) is repealed.

(2) Title I of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"SEC. 138. Legislative Budget."

BUDGET REVIEW

SEC. 232. The Committee on Appropriations of the House, or a duly authorized subcommittee thereof, and the Committee on Appropriations of the Senate, or a duly authorized subcommittee thereof, shall review the budget transmitted for each fiscal year for the specific purpose of examining and reviewing those programs for which estimated expenditures or proposed appropriations contained in the budget would be made by, or be under the control of, two or more Federal agencies.

COMMITTEE ACTION

SEC. 233. (a) The vote of the Committee on Appropriations of the House of Representatives or the Senate to report a measure or matter shall require the concurrence of a majority of the members of the committee who are present. No vote of any member of such committee to report a measure or matter may be cast by proxy if rules adopted by such committee forbid the casting of votes for that purpose by proxy; however, proxies shall not be voted for such purpose except when the absent committee member has been informed on the matter on which he is being recorded and has affirmatively requested that he be so recorded. Action by any such committee in reporting any measure or matter in accordance with the requirements of this subsection shall constitute the ratification by the committee of all action theretofore taken by the committee with respect to that measure or matter, including votes taken upon the measure or matter or any amendment thereto, and no point of order shall lie with respect to that measure or matter on the ground that such previous action with respect thereto by such committee was not taken in compliance with such requirements. Whenever any such committee by rollcall vote reports any measure or matter, the report of the committee upon such measure or matter shall include a tabulation of the votes cast in favor of and the votes cast in opposition to such measure or matter by each member of the committee. Nothing contained in this subsection shall abrogate the power of any committee of either House to adopt rules (1) providing for proxy voting on all matters other than the reporting of a measure or matter, or (2) providing in accordance with the rules of that House for a lesser number as a quorum for any action other than the reporting of a measure or matter.

(b) The report of the Committee on Appropriations of the House or the Senate, as the case may be, accompanying each appropriation bill shall include an analysis of the major factors taken into consideration by the committee in reporting the bill and recommending the appropriations contained therein. In any case in which any cost effectiveness analysis or study of any program for which funds are appropriated in the bill has been furnished by any Federal agency to any committee of the House or Senate or any joint committee of the two Houses, or has been made by any such committee or joint committee, such report shall also state the consideration given by the Committee on Appropriations to such analysis or study and shall inform the Members of the House or Senate, as the case may be, where they may obtain copies of such analysis or study.

(c) In the case of any bill reported by the Committee on Appropriations of the House or the Senate which makes supplemental or deficiency appropriations for any fiscal year, the report accompanying such bill shall include a complete explanation of the nature of the request for such appropriation and the reason such request was not made or could not have been made for inclusion in the regular appropriation bill for such fiscal year, or could not be withheld for inclusion in the regular appropriation bill for the following fiscal year.

PASSAGE OF BILLS

SEC. 234. The question of the final passage in both the House and the Senate of any appropriation bill shall be decided by a yea and nay vote. The preceding sentence shall not apply to the adoption of the report of a committee of conference on any such bill.

ROLLCALL VOTE REQUIRED ON MEASURES CHANGING COMPENSATION OF MEMBERS OF CONGRESS

SEC. 235. (a) No bill or joint resolution containing a provision increasing or decreasing the rate of compensation of Members of Congress shall be passed by the Senate or House of Representatives unless (1) such increase or decrease in compensation is set forth as a separate proposition from any other provision in the bill or joint resolution, and (2) such proposition shall have been approved by the Senate or House of Representatives, as the case may be, by a yea-and-nay vote.

(b) As used in this section, "Member of Congress" means a Senator, Representative in Congress, and the Resident Commissioner from Puerto Rico.

PART 4—UTILIZATION OF REPORTS OF GENERAL ACCOUNTING OFFICE

ASSISTANCE TO COMMITTEES

SEC. 241. At the request of any committee of the House or Senate, or of any joint committee of the two Houses, the Comptroller General shall designate employees of the General Accounting Office to explain to, and discuss with, the committee or joint committee making the request, or the staff of such committee or joint committee, any report made by the General Accounting Office which would assist such committee in connection with—

(1) its consideration of proposed legislation, including requests for appropriations, or

(2) its review of any program, or of any activities of any Federal agency, which is within the jurisdiction of such committee or joint committee.

REPORTS TO COMMITTEES

SEC. 242. (a) Whenever the General Accounting Office submits any report to the Congress, the Comptroller General shall deliver copies of such report to—

(1) the Committees on Appropriations of the House and Senate,

(2) the Committees on Government Operations of the House and Senate, and

(3) any other committee of the House or Senate, or any joint committee of the two Houses, which has jurisdiction over any program or part thereof, or any Federal agency, which is the subject of such report.

(b) At the request of any committee of the House or Senate, or of any joint committee of the two Houses, the Comptroller General shall make available to such committee or joint committee a copy of any report made by the General Accounting Office which was not delivered to such committee or joint committee pursuant to subsection (a).

AGENCY REPORTS

SEC. 243. Whenever the General Accounting Office has made a report which contains recommendations to the head of any Federal agency, such agency shall, in connection with the first request for appropriations for that agency submitted to the Congress more than sixty days after the date of such report, submit a written statement to the Committees on Appropriations of the House and Senate of the action taken by such agency with respect to such recommendations.

PART 5—LEGISLATIVE COMMITTEES

COST ESTIMATES

SEC. 251. (a) The report accompanying each bill or joint resolution reported by any committee of the House or Senate which has legislative jurisdiction shall contain—

(1) an estimate, made by such committee, of the costs which would be incurred in carrying out such bill or joint resolution in the fiscal year in which it is reported and in each of the five fiscal years following such fiscal year (or for the authorized duration of any program authorized by such bill or joint resolution, if less than five years), except that in the case of measures affecting the revenues, such reports shall require only an estimate of the gain or loss in revenues for a one-year period, and

(2) a comparison of the estimate of costs described in paragraph (1) made by such committee with any estimate of costs made by any Federal agency in the executive branch of the Government, or

(3) a statement of the reasons why compliance by the committee with the requirements of paragraphs (1) and (2) is impracticable.

(b) It shall not be in order in either House to consider a bill or joint resolution if such bill or joint resolution was reported in that House after the effective date of this section and the report of the committee of that House does not comply with the provisions of subsection (a).

APPROPRIATIONS ON ANNUAL BASIS

SEC. 252. (a) Each committee of the House and Senate, and each joint committee of the two Houses, which has legislative jurisdiction shall, in recommending the enactment of legislation, endeavor to insure that all continuing programs of the Government are designed, and all continuing activities of Federal agencies are carried on, so that appropriations therefor will be made annually.

(b) Each committee of the House and Senate, and each joint committee of the two Houses, which has legislative jurisdiction over any continuing program for which appropriations are not made annually shall, from time to time, review such program to ascertain whether such program could be modified so that appropriations therefor would be made annually.

(c) Each committee of the House and Senate, and each joint committee of the two Houses, which has legislative jurisdiction over any program under which grants-in-aid are made, shall periodically make a complete review of such program.

COMMITTEE JURISDICTION

SEC. 253. (a) For purposes of the provisions of this Part, a committee of either House, or a joint committee of the two Houses, shall be considered to have legislative jurisdiction over any matter only if, under the rules of the respective Houses, legislation relating to such matter is referred to such committee and such committee is authorized to report and recommend the enactment of such legislation, except that the Committees on Appropriations of the two Houses shall not be considered to be legislative committees.

(b) For purposes of the provisions of section 251 of this Part, the members of the Joint Committee on Atomic Energy who are Members of the House shall be treated as a committee of the House, and the members of the Joint Committee who are Members of the Senate shall be treated as a committee of the Senate.

TITLE III—SOURCES OF INFORMATION

PART 1—STAFFS OF SENATE AND HOUSE STANDING COMMITTEES

COMMITTEE STAFFING AND RELATED PROVISIONS

SEC. 301. (a) Subsection (a) of section 202 of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 72a(a)), is amended to read as follows:

"(a) Each standing committee of the Senate and House of Representatives (other than the Committee on Appropriations of each House) is authorized to appoint by majority vote of the committee not more than six professional staff members in addition to the clerical staffs. Such professional staff members shall be assigned to the chairman and the ranking minority member of such committee as the committee may deem advisable, except that whenever a majority of the minority members of such committee (other than the Committee on Standards and Conduct of the House of Representatives) so request, two of such professional staff members may be selected for appointment by majority vote of the minority members and the committee shall appoint any staff members so selected. A staff member or members appointed pursuant to a request by the minority members of the committee shall be assigned to such committee business as such minority members deem advisable. Services of professional staff members appointed by majority vote of the committee may be terminated by majority vote of the committee and services of professional staff members appointed pursuant to a request by the minority members of the committee shall be terminated by the committee when a majority of such minority members so request. Professional staff members authorized by this subsection shall be appointed on a permanent basis without regard to political affiliations and solely on the basis of fitness to perform the duties of the office. Such professional staff members shall not engage in any work other than committee business and no other duties may be assigned to them.".

(b) Subsection (c) of such section 202 (2 U.S.C. 72a(c)) is amended to read as follows:

"(c) The clerical staff of each standing committee of the Senate and the House of Representatives (other than the Committee on Appropriations of each House), which shall be appointed by a majority vote of the committee, shall consist of not more than six clerks to be attached to the office of the chairman, to the ranking minority member, and to the professional staff, as the committee may deem advisable, except that whenever a majority of the minority members of such committee (other than the Committee on Standards and Conduct of the House of Representatives) so requests, one of the members of the clerical staff may be selected for appointment by majority vote of such minority members and the committee shall appoint any staff member so selected. The clerical staff shall handle committee correspondence and stenographic work, both for the committee staff and for the chairman and ranking minority member on matters related to committee work, except that if a member of the clerical staff is appointed pursuant to a request by the minority members of the committee, such clerical staff member shall handle committee correspondence and stenographic work for the minority members of the committee and for any members of the committee staff appointed under subsection (a) pursuant to request by such minority members, on matters related to committee work. Services of clerical staff members appointed by majority vote of the committee may be terminated by majority vote of the committee and services of clerical staff members appointed pursuant to a request by the minority members of the committee shall be terminated by the committee when a majority of such minority members so request.".

(c) Such section 202 is amended by striking out subsection (h), and by adding after subsection (f) the following new subsections:

"(g) In any case in which a request for the appointment of a minority staff member under subsection (a) or subsection (c) is made at any time when no vacancy exists to which the appointment requested may be made, the person appointed pursuant to such request may serve in addition to any other staff members authorized by such subsections and may be paid from the contingent fund of the Senate or House of Representatives, as the case may be, until such time as such a vacancy occurs, at which time such person shall be considered to have been appointed to such vacancy.

"(h) Staff members appointed pursuant to a request by minority members of a committee under subsection (a) or subsection (c), and staff members appointed to assist minority members of subcommittees pursuant to authority of Senate or House resolution, shall be accorded equitable treatment with respect to the fixing of salary rates, the assignment of facilities, and the accessibility of committee records.

"(i)(1) Each standing committee of the Senate or House of Representatives is authorized, with the approval of the Committee on Rules and Administration in the case of standing committees of the Senate, or the Committee on House Administration in the case of standing committees of the House of Representatives, within the limits of funds made available from the contingent funds of the respective Houses pursuant to resolutions, which shall specify the maximum amounts which may be used for such purpose, approved by such respective Houses, to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations

thereof, to make studies or advise the committee with respect to any matter within its jurisdiction.

"(2) Such services in the case of individuals or organizations may be procured by contract as independent contractors, or in the case of individuals by employment at daily rates of compensation not in excess of the per diem equivalent of the highest gross rate of compensation which may be paid to a regular employee of the committee, including payment of such rates for necessary travel time. Such contracts shall not be subject to the provisions of section 3709 of the Revised Statutes (41 U.S.C. 5) or any other provision of law requiring advertising.

"(3) Any such consultant or organization shall be selected by the chairman and ranking minority member of the committee, acting jointly. The committee shall submit to the Committee on Rules and Administration in the case of standing committees of the Senate, and the Committee on House Administration in the case of standing committees of the House of Representatives, information bearing on the qualifications of each consultant whose services are procured pursuant to this subsection, including organizations, and such information shall be retained by that committee and shall be made available for public inspection upon request.

"(j)(1) Each standing committee of the Senate or House of Representatives is authorized, with the approval of the Committee on Rules and Administration in the case of standing committees of the Senate, and the Committee on House Administration in the case of standing committees of the House of Representatives, and within the limits of funds made available from the contingent funds of the respective Houses pursuant to resolutions, which shall specify the maximum amounts which may be used for such purpose, approved by such respective Houses, to provide assistance for members of its professional staff in obtaining specialized training, whenever it determines that such training will aid it in the discharge of its responsibilities.

"(2) Such assistance may be in the form of continuance of pay during periods of training or grants of funds to pay tuition, fees, or such other expenses of training, or both, as may be approved by the Committee on Rules and Administration or the Committee on House Administration, as the case may be.

"(3) A committee providing assistance under this subsection shall obtain from any employee receiving such assistance such agreement with respect to continued employment as it may deem necessary to assure that it will receive the benefits of such employee's services upon completion of his training.

"(4) During any period for which an employee is separated from employment with a committee for the purpose of undergoing training under this subsection, such employee shall be considered to have performed service as an employee of the committee at the rate of compensation received immediately prior to commencing such training (including any increases in compensation provided by law during the period of training) for the purposes of—

"(A) subchapter III (relating to civil service retirement) of chapter 83 of title 5, United States Code,

"(B) chapter 87 (relating to Federal employees group life insurance) of title 5, United States Code, and

"(C) chapter 89 (relating to Federal employees group health insurance) of title 5, United States Code.".

(d)(1) The paragraph relating to rates of compensation of employees of the Senate, contained in the Legislative Appropriation Act, 1956, as amended (2 U.S.C. 72a–1a), is amended by striking out all of the second sentence thereof following the words "First Supplemental Appropriation Act, 1947," and all of the third sentence thereof, and inserting in lieu thereof the following: "the basic compensation of any employee of a standing or select committee of the Senate (including the majority and minority policy committees and the majority and minority conferences of the Senate, but excluding the Committee on Appropriations), or a joint committee of the two Houses the expenses of which are paid from the contingent fund of the Senate, whose basic compensation may be fixed under such provisions at a rate of $8,000 per annum, may be fixed at a rate not in excess of $8,520, except that the basic compensation of two such employees may be fixed at a rate not in excess of $9,420 per annum, and the basic compensation of four such employees may be fixed at a rate not in excess of $9,060 per annum. The basic compensation of any employee of the Committee on Appropriations whose basic compensation may be fixed at a rate of $8,000 per annum under such provisions may be fixed at a rate not in excess of $8,520 per annum, except that the basic compensation of two such employees may be fixed at a rate not in excess of $9,420 per annum, and the basic compensation of sixteen such employees may be fixed at a rate not in excess of $9,060 per annum."

(2) The paragraph imposing limitations on basic and gross compensation of officers and employees of the Senate appearing under the heading "Senate" in the Legislative Appropriation Act, 1956, as amended (2 U.S.C. 60a note), is amended by striking out "$8,880" and inserting in lieu thereof "$9,420", and by striking out "$24,460" and inserting in lieu thereof "$25,890".

(e) Nothing in the amendments made by subsections (a) and (b) of this section shall be construed—

(1) to require a reduction in—

(A) the number of staff members authorized, prior to January 1, 1968, to be employed by any committee of the Senate or House of Representatives, by statute or by annual or permanent resolution, or

(B) the number of such staff members on such date assigned to, or authorized to be selected for appointment by or with the approval of, the minority members of any such committee; or

(2) to authorize the selection for appointment of staff members by the minority members of a committee in any case in which two or more professional staff members or one or more clerical staff members, as the case may be, who are satisfactory to a majority of such minority members, are otherwise assigned to assist such minority members.

(f) The additional professional staff members authorized to be employed by a committee by the amendment made by subsection (a) of this section shall be in addition to any other additional staff members authorized, prior to January 1, 1968, to be employed by any such committee.

PART 2—OFFICE STAFFS AND ALLOWANCES OF MEMBERS OF CONGRESS

LEGISLATIVE ASSISTANTS FOR SENATORS

SEC. 321. (a) Each Senator is authorized to appoint a legislative assistant whose primary function shall be to assist the Senator in performing duties related to legislation. The basic compensation of the legislative assistant shall be fixed, in accordance with the paragraph relating to the authority of Senators to rearrange the basic salaries of employees in their offices in the Legislative Branch Appropriation Act, 1947, as amended (2 U.S.C. 60f), at a rate not in excess of $8,460 per annum, said sum to be available to each Senator in addition to the aggregate amount of the basic compensation authorized to be paid for administrative and clerical assistance and messenger service in the office of such Senator. No part of such additional sum shall be available for the salary of any employee other than the legislative assistant authorized by this section.

(b) The second proviso in the paragraph relating to the authority of Senators to rearrange the basic salaries of employees in their offices in the Legislative Branch Appropriation Act, 1947, as amended (2 U.S.C. 60f), is amended by inserting after the word "employee" in clause (3) the following: "(in addition to the legislative assistant authorized by section 321(a) of the Legislative Reorganization Act of 1967)".

ADDITIONAL TRAVEL ALLOWANCES

SEC. 322. (a) The third paragraph under the heading "Administrative Provisions" in the appropriation for the Senate in the Legislative Branch Appropriation Act, 1959, as amended (2 U.S.C. 43b), is amended—

(1) by striking out "six" and inserting in lieu thereof "seven"; and

(2) by striking out "four" and inserting in lieu thereof "seven."

(b) The second paragraph under the heading "Administrative Provisions" in the Legislative Branch Appropriation Act, 1962, as amended (2 U.S.C. 127), is amended by striking out "four" and inserting in lieu thereof "five."

(c) Section 3 of the Act entitled "An Act to amend the Legislative Branch Appropriation Act, 1959, to provide for reimbursement of transportation expenses for Members of the House of Representatives, and for other purposes", approved August 28, 1965 (2 U.S.C. 127a), is amended by striking out "not to exceed two employees in the office of a Member of the House of Representatives (including the Resident Commissioner from Puerto Rico) for one round trip each, or incurred by not to exceed one employee for two round trips" and inserting in lieu thereof "employees in the office of each Member of the House of Representatives (including the Resident Commissioner from Puerto Rico) for not to exceed four round trips".

TELECOMMUNICATIONS

SEC. 323. (a) The Sergeant at Arms of the Senate and the Clerk of the House of Representatives are authorized and directed to make a thorough study of the telecommunications needs of the Congress, with a view to—

(1) developing plans for—

(A) participation in, and any necessary expansion of, the existing Government-wide leased line telephone system, or

(B) establishment of a separate leased line telephone system for the Congress; and

(2) recommending such other improvements with respect to telephone and telegraph service for the Congress as may be desirable in the light of economy and efficiency.

(b) The Sergeant at Arms of the Senate, acting under the direction and supervision of the Committee on Rules and Administration of the Senate, is authorized and directed to formulate a plan for consolidating telephone and telegraph allowances of Senators and the President of the Senate as a single allowance.

CONVERSION OF PAY RATES OF SENATE EMPLOYEES TO GROSS RATE BASIS

SEC. 324. The Committee on Appropriations of the Senate is requested to prepare, and make recommendations to the Senate, at the earliest practicable date with respect to—

(1) a plan for the conversion to a gross rate basis of pay rates of employees of the Senate who are being paid on a basic plus additional compensation basis;

(2) a schedule of gross salary rates to be applicable in fixing and adjusting pay rates of such employees; and

(3) a plan for the conversion of Senator's clerk hire allowances from an aggregate basic salary basis to an aggregate gross salary basis.

Such recommendations shall include, or be in the form of, legislative proposals designed to carry into effect the plans and schedule referred to in this section.

PART 3—LEGISLATIVE RESEARCH SERVICE

IMPROVEMENT OF LEGISLATIVE RESEARCH FACILITIES OF CONGRESS

SEC. 331. (a) Section 203 of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 166), is amended to read as follows:

"LEGISLATIVE RESEARCH SERVICE

"SEC. 203. (a) The Legislative Reference Service in the Library of Congress is hereby continued as a separate department in the Library of Congress and is redesignated the 'Legislative Research Service'.

"(b) It is the policy of Congress that—

"(1) the Librarian of Congress shall, in every possible way, encourage, assist, and promote the Legislative Research Service in—

"(A) rendering to Congress the most effective and efficient service,

"(B) responding most expeditiously, effectively, and efficiently to the special needs of Congress, and

"(C) discharging its responsibilities to Congress;

and

"(2) the Librarian of Congress shall grant and accord to the Legislative Research Service the maximum practicable administrative independence consistent with these objectives.

"(c)(1) After consultation with the Joint Committee on the Library, the Librarian of Congress shall appoint the Director of the Legislative Research Service.

The compensation of the Director shall be at a per annum rate equal to the rate provided for level V of the Executive Schedule contained in section 5316 of title 5, United States Code.

"(2) The Librarian of Congress, upon the recommendation of the Director, shall appoint a Deputy Director of the Legislative Research Service and all other necessary personnel thereof. The compensation of the Deputy Director shall be fixed in accordance with chapter 51 (relating to classification) and subchapter III (relating to General Schedule pay rates) of chapter 53 of title 5, United States Code, but without regard to section 5108(a) of such title. The compensation of all other necessary personnel of the Legislative Research Service shall be fixed in accordance with chapter 51 (relating to classification) and subchapter III (relating to General Schedule pay rates) of chapter 53 of title 5, United States Code, except that—

"(A) the grade of Senior Specialist in each field within the purview of subsection (e) of this section shall not be less than the highest grade in the executive branch of the Government to which research analysts and consultants without supervisory responsibility are currently assigned; and

"(B) the positions of Specialist and Senior Specialist in the Legislative Research Service may be placed in GS–16, 17, and 18 of the General Schedule of section 5332 of title 5, United States Code, without regard to section 5108(a) of such title, subject to the prior approval of the Joint Committee of Congress on the Library, by record vote of a majority of the members of the Joint Committee, of the placement of each such position in any of such grades.

"(3) Each appointment made under paragraphs (1) and (2) of this subsection and subsection (e) of this section shall be without regard to the civil service laws, without regard to political affiliation, and solely on the basis of fitness to perform the duties of the position.

"(d) It shall be the duty of the Legislative Research Service, without partisan bias—

"(1) upon request, to advise and assist any committee or Member of the Senate or House of Representatives and any joint committee of Congress in the analysis, appraisal, and evaluation of legislative proposals, or of recommendations submitted to Congress by the President or any executive agency, and otherwise to assist in providing a basis for the proper evaluation and determination of legislative proposals and recommendations generally;

"(2) upon request, or upon its own initiative in anticipation of requests, to collect, classify, and analyze in the form of translations, indexes, digests, compilations, bulletins, reports, and otherwise, data having a bearing on legislation, and to make such data available and serviceable to committees and Members of the Senate and House of Representatives and joint committees of Congress;

"(3) to prepare summaries and digests of bills and resolutions of a public general nature introduced in the Senate or House of Representatives; and

"(4) upon request made by any committee or Member of the Congress, to prepare and transmit to such committee or Member a concise memorandum with respect to one or more legislative measures upon which hearings by any committee of the Congress have been announced, which memorandum shall contain a statement of the purpose and effect of each such measure, a description of other relevant measures of similar purpose or effect previously introduced in the Congress, and a recitation of all action taken theretofore by or within the Congress with respect to each such other measure.

"(e) The Librarian of Congress is authorized to appoint in the Legislative Research Service, upon the recommendation of the Director, Specialists and Senior Specialists in the following broad fields:

"(1) agriculture;

"(2) American government and public administration;

"(3) American public law;

"(4) conservation;

"(5) education;

"(6) employment;

"(7) engineering and public works;

"(8) housing;

"(9) industrial organization and corporation finance;

"(10) international affairs;

"(11) international trade and economic geography;

"(12) labor;

"(13) mineral economics;

"(14) money and banking;

"(15) national defense;

"(16) price economics;

"(17) science;

"(18) social welfare;

"(19) taxation and fiscal policy;

"(20) technology;

"(21) transportation and communications;

"(22) veterans' affairs; and

"(23) such other broad fields as the Director may deem appropriate.

Such Specialists and Senior Specialists, together with such other employees of the Legislative Research Service as may be necessary, shall be available for special work with the committees and Members of the Senate and House of Representatives and the joint committees of Congress for any of the purposes of subsection (d) of this section.

"(f) The Director is authorized—

"(1) to classify, organize, arrange, group, and divide, from time to time, as he deems advisable, the requests for advice, assistance, and other services submitted to the Legislative Research Service by committees and Members of the Senate and House of Representatives and joint committees of Congress, into such classes and categories as he deems necessary to—

"(A) expedite and facilitate the handling of the individual requests submitted by Members of the Senate and House of Representatives,

"(B) promote efficiency in the performance of services for committees of the Senate and House of Representatives and joint committees of Congress, and

"(C) provide a basis for the efficient performance by the Legislative Research Service of its legislative research and related functions generally;

and

"(2) to establish and change, from time to time, as he deems advisable, within the Legislative Research Service, such research and reference divisions or other organizational units, or both, as he deems necessary to accomplish the purposes of this subsection.

"(g) In order to facilitate the study, consideration, evaluation, and determination by the Congress of the budget requirements of the Legislative Research Service for each fiscal year, the Librarian of Congress shall receive from the Director and submit, for inclusion in the Budget of the United States Government, the budget estimates of the Legislative Research Service prepared separately by the Director in detail for each fiscal year, as a separate item of the budget estimates of the Library of Congress for such fiscal year.

"(h)(1) The Director of the Legislative Research Service is authorized to procure the temporary services (not in excess of one year) or intermittent services of individual experts or consultants (including stenographic reporters) and persons learned in particular fields of knowledge—

"(A) by contract as independent contractors without regard to section 3709 of the Revised Statutes (41 U.S.C. 5) or any other law requiring advertising, or

"(B) by employment in the Legislative Research Service without regard to the civil service and position classification laws, at rates of compensation not in excess of the per diem equivalent of the highest rate of basic compensation set forth in the General Schedule of section 5332 of title 5, United States Code, including payment of such rates for necessary travel time.

"(2) The Director of the Legislative Research Service is authorized to procure by contract, without regard to section 3709 of the Revised Statutes (41 U.S.C. 5) or any other law requiring advertising, the temporary services (not in excess of one year) or intermittent services of educational, research, or other organizations of experts and consultants (including stenographic reporters) and persons learned in particular fields of knowledge.

"(i) The Director of the Legislative Research Service shall file with the Joint Committee of Congress on the Library at the beginning of each regular session of Congress a separate and special report covering, in summary and in detail, all phases of activity of the Legislative Research Service for the immediately preceding fiscal year. In order to facilitate its performance of any function specified in this section, the Legislative Research Service may—

"(1) prepare information for machine processing,

"(2) process information by machine by performing mathematical or logical operations thereon, selective retrieval, integration, or other machine operations, and

"(3) prepare for presentation or other use information processed by machine.

The Service may acquire automatic data processing equipment and retain personnel needed for any activity authorized by this subsection.

"(j) There are hereby authorized to be appropriated to the Legislative Research Service each fiscal year such sums as may be necessary to carry on the work of the Service.".

(b) Title II of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 203. Legislative Reference Service."

and inserting in lieu thereof—

"Sec. 203. Legislative Research Service.".

JOINT COMMITTEE ON THE LIBRARY

SEC. 332. Section 223 of the Legislative Reorganization Act of 1946 (2 U.S.C. 132b) is amended to read as follows:

"JOINT COMMITTEE ON THE LIBRARY

"SEC. 223. (a) The Joint Committee of Congress on the Library shall consist of the chairman and four members of the Committee on Rules and Administration of the Senate and the chairman and four members of the Committee on House Administration of the House of Representatives.

"(b) In order to provide for the expeditious and efficient consideration of matters within the jurisdiction of the Joint Committee, including review of the operations of the Legislative Research Service, the Joint Committee is authorized to employ one professional staff member and not to exceed two employees as members of the clerical staff of the committee. Such professional and clerical staff members shall be appointed by majority vote of the committee, on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform the duties of their position. The staff, under the joint direction and supervision of the chairman and the vice chairman, shall assist the committee in the performance of its review functions with respect to matters within the general jurisdiction of the committee and shall perform such other duties as may be prescribed by the committee. The chairman and vice chairman shall fix their compensation at rates authorized by section 202(e)(1) of this Act. The committee may terminate the employment of the members of the professional and clerical staff as it may deem appropriate.

"(c) The expenses of the Joint Committee shall be paid out of the contingent fund of the House of Representatives, from funds appropriated for the Joint Committee, upon vouchers signed by the chairman of the Joint Committee.

"(d) In order to provide the Congress with current information regarding the operation of the Legislative Research Service and regarding other matters within the general jurisdiction of the Joint Committee, the Joint Committee shall submit to the Senate and House of Representatives an annual report with respect to (1) the activities of the Legislative Research Service and (2) such other matters within its general jurisdiction as it deems appropriate.".

ABOLISHMENT OF OFFICE OF COORDINATOR OF INFORMATION

SEC. 333. The Office and position of the Coordinator of Information of the House of Representatives are hereby abolished. The personnel (including the former incumbent of the position of Coordinator of Information), records, functions, property, and unexpended balances of appropriations of the Office of Coordinator of Information are hereby transferred to the Legislative Reference Service of the Library of Congress.

SAVING PROVISION

SEC. 334. (a) Except as otherwise provided by this part, the changes in existing law made by, and other provisions of, this part shall not affect any office or position existing immediately prior to the effective date of this part, the compensation attached to such office or position, and any incumbent thereof, his appointment thereto, and his entitlement to receive the compensation attached thereto, until appropriate action is taken in accordance with this part or other law.

(b) Notwithstanding any provision of this part, the rate of compensation received by any officer or employee immediately prior to the effective date of this part shall not be reduced by reason of enactment of this part.

SENATE PUBLIC ADDRESS SYSTEM

SEC. 335. (a) In order to insure that debates of the Senate may be heard in all parts of the Senate Chamber and in the galleries thereof, the majority and minority leaders are authorized to take such action as may be appropriate for the installation and operation within the Senate Chamber of a suitable electrical public address system approved by them.

(b) The expenses incurred for the installation and operation of such public address system shall be considered in the legislative appropriation bill.

TITLE IV—CONGRESS AS AN INSTITUTION

PART 1—JOINT COMMITTEE ON CONGRESSIONAL OPERATIONS

ESTABLISHMENT OF JOINT COMMITTEE ON CONGRESSIONAL OPERATIONS

SEC. 401. (a) There is hereby created a Joint Committee on Congressional Operations (hereafter in this part referred to as the "Joint Committee").

(b) The Joint Committee shall be composed of ten members as follows:

(1) five Members of the Senate, appointed by the President pro tempore of the Senate; two from the Committee on Government Operations of the Senate, two from the Committee on Rules and Administration of the Senate, and one from among the remaining Members of the Senate (including but not limited to members of the committees referred to in this paragraph); and

(2) five Members of the House of Representatives, appointed by the Speaker of the House of Representatives; two from the Committee on Government Operations of the House of Representatives, two from the Committee on House Administration of the House of Representatives, and one from among the remaining Members of the House of Representatives (including but not limited to members of the committees referred to in this paragraph).

(c) Of each class of two members referred to in subsection (b), one shall be from the political party having the greatest number, and one shall be from the political party having the second greatest number, of Members of the Senate, or of the House of Representatives, as the case may be.

(d) Vacancies in the membership of the Joint Committee shall not affect the power of the remaining members to execute the functions of the Joint Committee and shall be filled in the same manner as in the case of the original appointment.

(e) The Joint Committee shall select a chairman and a vice chairman from among its members at the beginning of each Congress. The vice chairman shall act in the place and stead of the chairman in the absence of the chairman. The chairmanship and the vice chairmanship shall alternate between the Senate and the House of Representatives with each Congress. The chairman during each even-numbered Congress shall be selected by the Members of the House of Representatives on the Joint Committee from among their number and the chairman during each odd-numbered Congress shall be selected by the Members of the Senate on the Joint Committee from among their number. The vice chairman during each Congress shall be chosen in the same manner from that House of Congress other than the House of Congress of which the chairman is a Member.

DUTIES OF JOINT COMMITTEE

SEC. 402. (a) The Joint Committee shall—

(1) make a continuing study of the organization and operation of the Congress of the United States and shall recommend improvements in such organization and operation with a view toward strengthening Congress, simplifying its operations, improving its relationships with other branches of the United States Government, and enabling it better to meet the responsibilities under the Constitution of the United States;

(2) make a continuing study of automatic data processing and information retrieval systems with a view to determining the feasibility of the use of such systems in the operations of the Senate or the House of Representatives, or both, and make such recommendations with respect to the use of such systems as the Joint Committee may deem appropriate; and

(3) identify and call to the attention of the Congress any court proceeding or action which, in the opinion of the Joint Committee, is of vital interest to the Congress, or to either House of the Congress, as a constitutionally established institution of the Federal Government.

Subject to the approval of the President pro tempore of the Senate, the Speaker of the House of Representatives, and the majority and minority leaders of the Senate and of the House of Representatives, the Joint Committee is authorized to provide for appropriate representation on behalf of the Congress or either House thereof in any proceeding or action referred to in paragraph (3) of this subsection.

(b) The Joint Committee shall exercise all functions vested in it by sections 406 and 407 of this Part.

(c) The Joint Committee shall report, from time to time, to the Senate and the House of Representatives their recommendations with respect to matters within the jurisdiction of the Joint Committee.

(d) Nothing in this part shall be construed to authorize the Joint Committee to make any recommendations with respect to the rules, parliamentary procedure, practices, or precedents of either House, or the consideration of any matter on the floor of either House.

POWERS OF JOINT COMMITTEE

SEC. 403. The Joint Committee or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of Congress, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths and affirmations, to take such testimony, to procure such printing and binding, and to make such expenditures, as it deems advisable. The Joint Committee may make such rules respecting its organization and procedures as it deems necessary, except that no recommendation shall be reported from the Joint Committee unless a majority of the Joint Committee assent. Subpenas may be issued over the signature of the chairman of the Joint Committee or of any member designated by him or by the Joint Committee, and may be served by such person or persons as may be designated by such chairman or member. The chairman of the Joint Committee or any member thereof may administer oaths or affirmations to witnesses.

STAFF OF JOINT COMMITTEE

SEC. 404. (a) In carrying out its functions under subsections (a) and (c) of section 402 of this part, the Joint Committee is authorized, by record vote of a majority of the members of the Joint Committee—

(1) to appoint, on a permanent basis, without regard to political affiliation and solely on the basis of fitness to perform their duties, not more than six professional staff members and not more than six clerical staff members;

(2) to prescribe their duties and responsibilities;

(3) to fix their compensation at rates authorized by section 202(e)(1) of the Legislative Reorganization Act of 1946; and

(4) to terminate their employment as the Joint Committee may deem appropriate.

(b) In carrying out its functions under section 406 of this part, the Joint Committee is authorized, by record vote of a majority of the members of the Joint Committee—

(1) to appoint, on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform the

duties concerned, such additional personnel as the Joint Committee deems necessary;

(2) to prescribe their duties and responsibilities;

(3) to fix their compensation at rates authorized by section 202(e)(1) of the Legislative Reorganization Act of 1946; and

(4) to terminate their employment, as the Joint Committee may deem appropriate.

(c) In carrying out any of its functions under this part, the Joint Committee is authorized to utilize the services, information, facilities, and personnel of the departments and establishments of Government, and to procure the temporary (not to exceed one year) or intermittent services of experts or consultants or organizations thereof by contract at rates not in excess of $100 per diem.

RECORDS OF JOINT COMMITTEE

SEC. 405. The Joint Committee shall keep a complete record of all Joint Committee actions, including a record of the votes on any question on which a record vote is demanded. All records, data, charts, and files of the Joint Committee shall be the property of the Joint Committee and shall be kept in the offices of the Joint Committee or such other places as the Joint Committee may direct.

TRANSFER OF FUNCTIONS

SEC. 406. There are transferred to the Joint Committee all of the functions, records, and property of the Joint Committee on Disposition of Executive Papers, created by the Act approved July 7, 1943 (57 Stat. 380), and such joint committee is hereby abolished.

OFFICE OF PLACEMENT AND OFFICE MANAGEMENT

SEC. 407. (a) There is hereby established for the Congress an Office of Placement and Office Management which shall be subject to the supervision and control of the Joint Committee. The Joint Committee is authorized, by record vote of a majority of the members of the Joint Committee—

(1) to appoint, on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform his duties, a Director of the Office of Placement and Office Management to serve as the head of the staff of the Office;

(2) to prescribe his duties and responsibilities;

(3) to fix his compensation at a rate authorized by section 202(e)(1) of the Legislative Reorganization Act of 1946; and

(4) to terminate his employment, as the Joint Committee may deem appropriate.

Subject to the prior approval of the Joint Committee, the Director shall appoint and fix the compensation of such personnel as may be necessary to carry out the duties of the Office under this section.

(b) It shall be the duty of the Office, upon request, to assist Members, committees, and officers of the Senate and House of Representatives seeking competent personnel with specified qualifications and to furnish advice and information with respect to office management procedures. In carrying out the provisions of this section, the Office should—

(1) operate as a central clearinghouse for applications for employment with the Congress;

(2) test the qualifications of individuals submitting such applications for employment;

(3) furnish advice and information to Members, committees, and officers of the Senate and House of Representatives, on request, with respect to better office management practices and efficient utilization of office equipment; and

(4) maintain, for the benefit of such Members, committees, and officers desiring detailed office studies to improve the efficiency of their operations, a list of private management concerns capable of rendering such service on request.

(c) Nothing in this section shall be held or considered to require the use of the facilities of the Office by any Member, committee, or officer of the Senate or House of Representatives, if, in the opinion of such Member, committee, or officer, the use of such facilities is inappropriate.

EXPENSES

SEC. 408. The expenses of the Joint Committee shall be paid from the contingent fund of the House of Representatives, from funds appropriated for the Joint Committee, upon vouchers approved by the Chairman.

PART 2—AUTHORITY OF OFFICERS OF THE CONGRESS

AUTHORITY

SEC. 421. (a) Any officer of the Congress having responsibility for the supervision of employees, including employees appointed upon recommendation of Members of Congress, shall have authority—

(1) to prescribe a period of training to be completed by any such employee prior to or upon his assignment to duties;

(2) to promulgate rules and regulations governing the performance by any such employee of his assigned duties;

(3) to remove or otherwise discipline any such employee (A) who fails or refuses to complete satisfactorily the period of training referred to in paragraph (1), or (B) who fails or refuses to abide by rules or regulations referred to in paragraph (2) or otherwise fails to perform his assigned duties in a satisfactory manner.

(b) As used in this section, the term "officer of the Congress" means an elected officer of the Senate or the House of Representatives who is not a Member of the Senate or House, the Architect of the Capitol, and the Postmaster of the Senate.

CAPITOL POLICE

SEC. 422. (a) The Capitol Police Board is authorized and directed to formulate a plan for converting the Capitol Police force to a professional force which shall operate under rules and regulations promulgated by the Capitol Police Board. In the formulation of such plan, consideration shall be given to the feasibility of providing for the operation of such force on the same basis of standards for personnel of the Metropolitan Police force of the District of Columbia. Such plan shall include provisions for giving members of the existing Capitol Police force such additional instruction and training as the Capitol Police Board shall deem necessary to improve the quality of their performance, and for replacing such members with persons recruited on the same basis that recruits are selected by the Metropolitan Police force as vacancies occur.

(b) The Chief of Police of the Metropolitan Police force of the District of Columbia shall provide the Capitol Police Board with such information and assistance as it may require in carrying out its duties and responsibilities under this section.

(c) The Capitol Police Board shall make a report to the Senate and House of Representatives at the earliest practicable date setting forth the plan formulated pursuant to this section, together with its recommendations for any legislation necessary to effectuate such plan.

SENATE AND HOUSE PAGES

SEC. 423. (a) No person shall serve as a page of the Senate or House of Representatives before he has completed the twelfth grade of his secondary school education, or (except in the case of a chief page, telephone page, or riding page) during any session of the Congress which begins after he has attained the age of twenty-two years.

(b) No person shall be appointed as a page of the Senate or House of Representatives unless he agrees that in the absence of unforeseen circumstances preventing such service he will continue to serve as a page for a period of not less than three months.

(c)(1) Section 243 of the Legislative Reorganization Act of 1946 (2 U.S.C. 88a), and the proviso in the paragraph under the heading "Education of Senate and House Pages" in title I of the Urgent Deficiency Appropriation Act, 1947 (2 U.S.C. 88b), are hereby repealed.

(2) Title II of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 243. Senate and House pages.".

(d) Subsection (a) shall take effect on January 3, 1968, but the provisions of such subsection limiting service as a page to persons who have completed the twelfth grade shall not be construed to prohibit the continued service of any page appointed prior to the date of enactment of this Act. Subsection (c) shall take effect at the end of the 1967–1968 school year.

(e) The proviso under the heading "Office of Sergeant at Arms and Doorkeeper" in the appropriations for the Senate in the Legislative Branch Appropriation Act, 1952 (2 U.S.C. 88c), is amended to read as follows: "*Provided*, That hereafter the pay of pages shall begin not more than five days before the convening of a session of the Congress or of the Senate, and shall continue until the end of the month during which the Congress or the Senate adjourns or recesses, or the fourteenth day after such adjournment or recess, whichever is the later date, except that in any case in which the Congress or the Senate adjourns or recesses on or before the last day of July for a period of at least thirty but not more than forty-five days such pay shall continue until the end of such adjournment or recess.".

CAPITOL GUIDE SERVICE

SEC. 424. (a) When used in this section, unless the context indicates otherwise—

(1) the term "Service" means the Capitol Guide Service created by subsection (b);

(2) the term "Board" means the Board created by subsection (b);

(3) the term "guide" means any member of the Capitol Guide Service; and

(4) the term "building" means the United States Capitol Building.

(b) There is hereby created an organization, to be known as the Capitol Guide Service, which shall be under the supervision of a Board consisting of the Architect of the Capitol, the Sergeant at Arms of the Senate, and the Sergeant at Arms of the House of Representatives.

(c) It shall be the duty of the Service, under regulations promulgated by the Board, to furnish free guide services to any person desiring to view the interior of the building. The Service shall consist of a chief guide who shall receive gross compensation at the rate of $9,800 per annum, and not less than ten, nor more than twenty guides who shall each receive gross compensation at the rate of $7,200 per annum. Appointments to and removals from the Service shall be made by the Board. Appointees to the Service shall be chosen solely upon the basis of the special qualifications which fit them for the duties to be performed.

(d) The Board shall make and promulgate the regulations necessary for the operation of the Service. Such regulations shall cover the schedules and routings of tours through the building, the oral informative data to be supplied to the public, the personal conduct of members of the Service when on duty, the uniforms and insignia for the Service, and such other phases of the work as in its judgment may be necessary.

(e) No guide shall make any charge for his official services, nor accept any gratuity, nor shall he, in the course of official duty, speak in praise or censure of any person. Any violation of the provisions of this subsection shall be punished by immediate dismissal.

(f) The headquarters of the Service shall be maintained in the rotunda of the building, and a guide shall be on duty there at all times during the hours the building is open to the public.

(g) The necessary expenses incident to the establishment and maintenance of the Service, including uniforms and insignia for each guide, shall be paid from the contingent fund of the House of Representatives on vouchers approved by the Board.

(h) The Board may detail any guide to supplement the Capitol Police when special occasions in the building or on the Capitol Grounds require additional police and the performance of the regular duties of the Service are temporarily suspended by such occasion.

PART 3—CONGRESSIONAL ADJOURNMENT

CONGRESSIONAL ADJOURNMENT

SEC. 433. (a) This section is enacted by the Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such it shall be considered as part of the rules of each House, respectively; and such rule shall supersede other rules only to the extent inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House.

(b) Section 132 of the Legislative Reorganization Act of 1946 (2 U.S.C. 198) is amended to read as follows:

"CONGRESSIONAL ADJOURNMENT

"SEC. 132. (a) Not later than the last day in the month of July in each year, the two Houses shall adjourn—

"(1) sine dine, or

"(2) to a day certain subsequent to August 31 of such year, which shall be fixed by concurrent resolution adopted in each House by rollcall vote.

"(b) This section shall not be applicable in any year if on the last day of July of such year a state of war exists pursuant to a declaration of war by the Congress.".

PART 4—APPOINTMENT OF POSTMASTERS

APPOINTMENT OF POSTMASTERS BY POSTMASTER GENERAL

SEC. 441. Section 3311 (relating to method of appointment of postmasters) of title 39, United States Code, is amended to read as follows:

"§ 3311. Method of appointment

"(a) The Postmaster General shall appoint postmasters at post offices of the first, second, and third classes in the competitive civil service without term. He shall make the appointments in accordance with the civil service laws and rules by—

"(1) competitive examination; and

"(2) promotions from within the postal service.

"(b) The Postmaster General shall appoint postmasters at post offices of the fourth class without term.

"(c) Notwithstanding any other provision of law, the Postmaster General shall make each appointment to a position of postmaster at a post office of any class without regard to any recommendation or statement, with respect to any applicant for such appointment, made by—

"(1) any Member of the Senate or House of Representatives (including the Resident Commissioner from Puerto Rico); or

"(2) any official of a partisan Nation, State, county, or municipal or other local political party.

"(d) Notwithstanding any other provision of law, a person within the purview of subparagraph (1) or (2) of subsection (c) of this section is hereby prohibited from making or transmitting to the Postmaster General, or to any other officer or employee of the Federal Government, any recommendation or statement with respect to any applicant for appointment to a position of postmaster of any class. The Postmaster General and any other officer or employee of the Federal Government—

"(1) shall not solicit, request, consider, or accept any such recommendation or statement; and

"(2) shall return any such recommendation or statement received by him, appropriately marked as in violation of this section, to the person making or transmitting the same.

"(e) An applicant for appointment to a position of postmaster at a post office of any class is hereby prohibited from requesting or soliciting any such recommendation or statement from any person within the purview of subparagraph (1) or (2) of subsection (c) of this section. An applicant making such solicitation or request, knowing the same to be in violation of this subsection, is disqualified for appointment to the position of postmaster concerned.

"(f) Each application form of the Federal Government used in connection with an application for appointment to a position of postmaster at a post office of any class shall contain appropriate language in boldface type informing the applicant of the provisions of this section.".

VACANCIES IN POSITIONS OF POSTMASTER

SEC. 442. Section 3315 (relating to the filling of vacancies in positions of postmaster) of title 39, United States Code, is amended by adding at the end thereof the following new subsection:

"(d) The prohibitions, restrictions, and related provisions of section 3311 of this title governing the appointment of postmasters also shall apply with respect to the interim appointment, assignment, or designation of any person in accordance with subparagraphs (1) to (4), inclusive, of subsection (a) of this section.".

VACANCIES ON RURAL ROUTES

SEC. 443. Section 3338 (relating to the filling of vacancies on rural routes) of title 39, United States Code, is amended by adding at the end thereof the following new subsection:

"(g) The prohibitions, restrictions, and related provisions of section 3311 of this title governing the appointment of postmasters also shall apply with respect to the appointment of any person to a position of rural carrier and the application and assignment of any rural carrier with respect to any rural route.".

SAVING PROVISION

SEC. 444. The amendments made by this part shall not affect the status or tenure, on the effective date of this part, of—

(1) postmasters in office;

(2) persons appointed, assigned, or designated in accordance with subparagraphs (1) to (4), inclusive, of section 3315(a) of title 39, United States Code; and

(3) persons holding positions of rural carrier.

PART 5—REVISION OF HOUSE EMPLOYEES POSITION CLASSIFICATION ACT

APPLICATION OF HOUSE EMPLOYEES POSITION CLASSIFICATION ACT

SEC. 451. Section 3 of the House Employees Position Classification Act (78 Stat. 1079; Public Law 88–652; 2 U.S.C. 292) is amended—

(1) by striking out "(2) the position of minority pair clerk in the House;"; and

(2) by redesignating subparagraphs (3) and (4) of such section as subparagraphs (2) and (3) thereof, respectively.

AUTHORITY TO RECOMMEND COMPENSATION REVISIONS

SEC. 452. Section 4 of the House Employees Position Classification Act (78 Stat. 1079; Public Law 88–652; 2 U.S.C. 293) is amended—

(1) by striking out, in subsection (a)(1)(C) thereof, "the Classification Act of 1949, as amended" and inserting in lieu thereof "section 5332 of title 5, United States Code"; and

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

"(c) The Clerk, the Sergeant at Arms, the Doorkeeper, and the Postmaster, of the House of Representatives, are authorized to transmit to the committee their joint recommendations for revision of the rates of compensation of the House Employees Schedule or the House Wage Schedule, or both such schedules, in accordance with subsections (a) and (b) of this section, together with their justification for such recommended revision, whenever in their judgment such revision is necessary and appropriate to provide for the acquisition or retention of competent personnel, to facilitate the maintenance of equitable compensation relationships, or to promote the orderly and efficient operation of the House of Representatives.".

REVISIONS WITH RESPECT TO POSITION STANDARDS AND DESCRIPTIONS AND POSITION PLACEMENT IN COMPENSATION SCHEDULES

SEC. 453. Sections 5 and 6 of the House Employees Position Classification Act (78 Stat. 1080–1081; Public Law 88–652; 2 U.S.C. 294 and 295) are amended to read as follows:

"POSITION STANDARDS AND DESCRIPTIONS

"SEC. 5. (a)(1) The Clerk, the Sergeant at Arms, the Doorkeeper, and the Postmaster, of the House of Representatives, jointly shall prescribe, revise, and (on a current basis) maintain position standards which shall apply to positions under the House of Representatives to which this Act applies.

"(2) The position standards shall—

"(A) provide for the separation of such positions into appropriate classes for pay and personnel purposes on the basis of reasonable similarity with respect to types of positions, qualification requirements of positions, and levels of difficulty and responsibility of work, and

"(B) govern the placement of such positions in their respective appropriate compensation levels at the appropriate compensation schedule.

"(b)(1) The Clerk, the Sergeant at Arms the Doorkeeper, and the Postmaster, of the House of Representatives, severally shall prepare, revise, and (on a current basis) maintain, in such forms as may be appropriate to carry out the purpose of this Act, position descriptions of the respective positions under the House of Representatives to which this Act applies which are under their respective jurisdictions, including—

"(A) with respect to the Clerk, positions under the House Recording Studio, and

"(B) with respect to the Doorkeeper, positions under the House Radio and Television Correspondents Gallery and the House Periodical Press Gallery.

"(2) The position descriptions shall—

"(A) describe in detail the actual duties, responsibilities, and qualification requirements of the work of each of such positions.

"(B) provide a position title for each of such positions which accurately reflects such duties and responsibilities, and

"(C) govern the placement of such position in its appropriate class.

"(c) The Clerk, the Sergeant at Arms, the Doorkeeper, and the Postmaster, of the House of Representatives, shall keep in their respective offices copies of the position standards jointly prepared by them together with copies of the position descriptions of those positions under the House of Representatives to which this Act applies which are under their respective jurisdictions.

"(d) Upon request of the committee at any time, the Clerk, the Sergeant at Arms, the Doorkeeper, or the Postmaster, of the House of Representatives, as the case may be, shall transmit to the committee copies of the position standards and position descriptions required by this section to be prepared, revised, and currently maintained by

them, and such other related information as the committee may require, in order that the committee may have, whenever the committee deems it advisable, current information with respect to position standards, position descriptions, the positions to which such descriptions apply, and related perosnnel matters within the purview of this Act.

"PLACEMENT OF POSITIONS IN COMPENSATION SCHEDULES

"SEC. 6. The Clerk, the Sergeant at Arms, the Doorkeeper, and the Postmaster, of the House of Representatives, each shall place each position under the House of Representatives to which this Act applies, which is under his jurisdiction, in its appropriate class and in its appropriate compensation level of the appropriate compensation schedule, in accordance with the position standards and position descriptions provided for in section 5 of this Act. Each such House officer is authorized, when in his opinion circumstances so warrant, to change any such position under his jurisdiction from any class in which such position is then currently placed to any other class which he deems appropriate, and from any compensation level of the schedule in which such position is then currently placed to any other compensation level of either the House Employees Schedule (HS) or the House Wage Schedule (HWS) as such House officer deems appropriate. All actions under this section shall be the basis for payment of compensation and for other personnel benefits and transactions until otherwise changed in accordance with appropriate authority.".

STEP INCREASES

SEC. 454. Section 7 of the House Employees Position Classification Act (78 Stat. 1081-1082; Public Law 88-652; 2 U.S.C. 296) is amended to read as follows:

"STEP INCREASES

"SEC. 7. (a) Each employee in a compensation level of the House Employees Schedule, who has not attained the highest scheduled rate of compensation for the compensation level (HS level) in which his position is placed, shall be advanced successively to the next higher step of such HS level, as follows:

"(1) to steps 2, 3, 4, 5, 6, 7, 8, and 9, respectively—at the beginning of the first pay period following the completion, without break in service of more than thirty months, of one year of satisfactory service in the next lower step; and

"(2) to steps 10, 11, and 12, respectively—at the beginning of the first pay period following the completion, without break in service of more than thirty months, of two years of satisfactory service in the next lower step.

"(b) The receipt of an increase in compensation during any of the waiting periods of service specified in subsection (a) of this section shall cause a new full waiting period of service to commence for further step increases under such subsection.

"(c) Any increase in compensation granted by law, or granted by reason of an increase made by the committee in the rates of compensation of the House Employees Schedule, to employees within the purview of subsection (a) of this section shall not be held or considered to be an increase in compensation for the purposes of subsection (b) of this subsection.

"(d) The benefit of successive step increases under subsection (a) of this section shall be preserved, under regulations jointly prescribed by the Clerk, the Sergeant at Arms, the Doorkeeper, and the Postmaster, of the House of Representatives, for employees whose continuous service is interrupted by service in the Armed Forces of the United States.

"(e) The Clerk, the Sergeant at Arms, the Doorkeeper, and the Postmaster, of the House of Representatives, jointly shall establish and maintain, and, from time to time, jointly may revise, a system of automatic advancement, by successive step increases in compensation, on the basis of satisfactory service performed, without break in service of more than thirty months, for employees subject to the House Wage Schedule. In the operation of such system of step increases, such House officers jointly may prescribe regulations to the effect that—

"(1) the receipt of an increase in compensation during any of the waiting periods of service required for advancement by step increases under such system shall cause a new full waiting period of service to commence for further step increases under such system;

"(2) any increase in compensation granted by law, or granted by reason of an increase made by the committee in the rates of compensation of the House Wage Schedule, to employees within the purview of such system of step increases, shall not be held or considered to be an increase in compensation for the purposes of subparagraph (1) of this subsection; and

"(3) the benefit of successive step increases under such system of step increases shall be preserved, under regulations jointly prescribed by such House officers, for employees whose continuous service is interrupted by service in the Armed Forces of the United States.".

APPOINTMENTS AND RECLASSIFICATIONS TO HIGHER COMPENSATION LEVELS

SEC. 455. Section 8(b) of the House Employees Position Classification Act (78 Stat. 1083; Public Law 88-652; 2 U.S.C. 297(b)) is amended to read as follows:

"(b) The Clerk, the Sergeant at Arms, the Doorkeeper, and the Postmaster, of the House of Representatives, jointly may provide by regulation for the payment of compensation, at an appropriate compensation step determined in accordance with such regulation, to each employee subject to the House Wage Schedule who is appointed to a position in a higher compensation level of such schedule or whose position is placed in a higher compensation level of such schedule pursuant to a reclassification of such position.".

REDUCTIONS IN COMPENSATION LEVEL

SEC. 456. Section 9 of the House Employees Position Classification Act (78 Stat. 1083; Public Law 88-652; 2 U.S.C. 298) is amended to read as follows:

"REDUCTIONS IN COMPENSATION LEVEL

"SEC. 9. Each employee under the jurisdiction of the Clerk, the Sergeant at Arms, the Doorkeeper, or the Postmaster, of the House of Representatives, as the case may be, in a position in a compensation level of the House Employees Schedule or the House Wage Schedule whose employment in such position and level is terminated and who is reemployed, with or without break in service, in a position in a lower compensation level (HS level or HWS level) of such schedule, or whose position is placed in a lower compensation level of such schedule pursuant to a reclassification of such position, shall be placed by the Clerk, the Sergeant at Arms, the Doorkeeper, or the Postmaster, as the case may be, in such step of such lower compensation level as the House officer concerned deems appropriate.".

INITIAL APPOINTMENTS

SEC. 457. Section 10 of the House Employees Position Classification Act (78 Stat. 1083; Public Law 88-652; 2 U.S.C. 299) is amended—

(1) by inserting "(a)" immediately following "SEC. 10."; and

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

"(b) The Clerk, the Sergeant at Arms, the Doorkeeper, and the Postmaster, of the House of Representatives, each is authorized to make the initial appointment of any individual to a position under the jurisdiction of such House officer, which is subject to the House Employees Schedule or the House Wage Schedule, at any compensation step above the minimum compensation step of the appropriate compensation level (HS level or HWS level) of such schedule, whenever such House officer deems such action to be necessary and appropriate to acquire competent personnel or to promote the orderly and efficient operation of the House of Representatives."

ESTABLISHMENT OF POSITIONS

SEC. 458. Section 11 of the House Employees Position Classification Act (78 Stat. 1083); Public Law 88-652; 2 U.S.C. 300) is amended to read as follows:

"ESTABLISHMENT OF POSITIONS

"SEC. 11. The Clerk, the Sergeant at Arms, the Doorkeeper, or the Postmaster, of the House of Representatives, as the case may be, may authorize the establishment of additional positions of the kind to which this Act applies, on a permanent basis or on a temporary basis of not to exceed six months' duration, whenever, in his judgment, such action is warranted in the interests of the orderly and efficient operation of the House of Representatives.".

AUTHORITY GENERALLY

SEC. 459. Section 13 of the House Employees Position Classification Act (78 Stat. 1084; Public Law 88-652; 2 U.S.C. 302) is amended to read as follows:

"REGULATIONS

"SEC. 13. (a) The committee is authorized to prescribe such regulations as may be necessary to carry out the functions, duties, and obligations imposed upon the committee by this Act.

"(b) The Clerk, the Sergeant at Arms, the Doorkeeper, and the Postmaster, of the House of Representatives, are authorized to prescribe such joint regulations as may be necessary to carry out the functions, duties, and obligations imposed upon such House officers by this Act.

"(c) Nothing in this Act shall be held or considered to curtail, diminish, or otherwise affect the jurisdiction of the committee with respect to all matters within the purview of this Act.".

CONFORMING AMENDMENT

SEC. 460. Section 105(f) of the Legislative Branch Appropriation Act, 1957, as amended (70 Stat. 371, 78 Stat. 1084; Public Law 624, Eighty-fourth Congress, Public Law 88-652; 2 U.S.C. 123b(f)), is amended by inserting "and fix the compensation of" immediately following "to appoint".

SAVING PROVISION

SEC. 461. The amendments made by this Part shall not be construed to eliminate, change, or otherwise affect—

(1) the compensation schedules prescribed under authority of the House Employees Position Classification Act,

(2) the position standards and position descriptions prepared under authority of such Act,

(3) the application of such position standards and position descriptions,

(4) the placement of positions in compensation schedules under such Act,

(5) the compensation paid to employees under such Act,

(6) the regulations prescribed under such Act, or

(7) any other action taken under such Act,

as in effect immediately prior to the effective date of this Part, until appropriate action is taken by appropriate authority in accordance with the House Employees Position Classification Act as amended by this Part, or in accordance with section 105(f) of the

Legislative Branch Appropriation Act, 1957, as amended by this Part.

HOUSE PUBLICATIONS DISTRIBUTION SERVICE

SEC. 462. (a) The organization under the jurisdiction of the Doorkeeper of the House of Representatives engaged in folding, packaging, and related activities with respect to papers, documents, and other materials for the House of Representatives (commonly referred to as the "House Folding Room") is hereby designated the "House Publications Distribution Service".

(b) The Doorkeeper of the House of Representatives is authorized to established for employees under the House Publications Distribution Service a system of compensation for extra services performed by such employees.

PART 6—PAYROLL ADMINISTRATION IN THE HOUSE OF REPRESENTATIVES

CONVERSION OF PAY TO AGGREGATE RATE BASIS IN HOUSE OF REPRESENTATIVES

SEC. 471. (a) Beginning with the effective date of this section, the aggregate compensation of each employee (except a telephone operator on the United States Capitol telephone exchange and a member of the United States Capitol Police)—

(1) who is on the employment rolls of the House of Representatives on such date,

(2) whose compensation is disbursed by the Clerk of the House of Representatives and was fixed or adjusted prior to such date, and

(3) whose compensation is not fixed at a single per annum (gross) rate,

shall be a single per annum (gross) rate, constituting his total rate of compensation, in an amount equal to the sum of—

(A) the rate of the per annum basic compensation of such employee in effect immediately prior to such date, adjusted to the lowest multiple of $60 which produces a rate of per annum basic compensation for such employee which is not less than his rate of per annum basic compensation immediately prior to such date, and

(B) the rate of his total per annum additional compensation, computed on such adjusted basic rate.

Such single per annum (gross) rate shall be rounded to the next higher dollar.

(b) Beginning with the effective date of this section, the aggregate compensation of each officer or employee (except a telephone operator on the United States Capitol telephone exchange and a member of the United States Capitol Police)—

(1) who is on the employment rolls of the House of Representatives on or after such date,

(2) whose compensation is disbursed by the Clerk of the House of Representatives, and

(3) whose compensation is fixed or adjusted on or after such date,

shall be a single per annum (gross) rate, in a whole dollar amount, constituting his total rate of compensation.

(c) The Clerk of the House of Representatives shall prepare and establish a compensation schedule of single per annum rates for employees of the House of Representatives whose compensation is disbursed by the Clerk of the House, except—

(1) employees subject to the House Employees Position Classification Act (2 U.S.C. 291 and following),

(2) telephone operators on the United States Capitol telephone exchange,

(3) members of the United States Capitol Police, and

(4) officers and employees of the House whose compensation consisted of a single per annum (gross) rate immediately prior to the effective date of this section.

Such compensation schedule shall—

(A) contain each of the single per annum (gross) rates determined under subsection (a) of this section, and

(B) be designated the "House General Schedule" and have the symbol "HGS".

(d) Section 11(a) of the Legislative Appropriation Act, 1956, as amended (2 U.S.C. 60g–1), is amended to read as follows:

"(a) The clerk hire of each Member of the House of Representatives and the Resident Commissioner from Puerto Rico shall be at a single per annum (gross) rate determined in accordance with section 471(e) of the Legislative Reorganization Act of 1967. No person shall be paid from such clerk hire at a single per annum (gross) rate in excess of $22,231.".

(e) The Clerk of the House of Representatives is authorized and directed to—

(1) adjust to a single per annum (gross) rate the basic rate of clerk hire allowance of each Member of the House of Representatives authorized by section 11(a) of the Legislative Appropriation Act, 1956, as in effect immediately prior to the effective date of this Part (2 U.S.C. 60g–1), and

(2) adjust to a single per annum (gross) rate each other basic rate allowance provided by law for the compensation of employees whose compensation is disbursed by the Clerk of the House (except telephone operators on the United States Capitol telephone exchange and members of the United States Capitol Police),

in a manner which reflects the most favorable projection of basic rates to aggregate rates, as determined by the Clerk of the House, in accordance with the foregoing provisions of this section and other applicable law.

(f) Section 202(e) of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 72a(e)), is amended to read as follows:

"(e)(1) Each employee of the professional staff, and each employee of the clerical staff, of each standing committee of the House of Representatives shall receive a per annum (gross) rate of compensation, constituting his total rate of compensation, to be fixed by the chairman, which is not in excess of the highest rate of compensation set forth in the General Schedule of section 5332 of title 5, United States Code.

"(2) Subject to the provisions of the paragraph relating to rates of compensation of employees of committees of the Senate, contained in the Legislative Appropriation Act, 1956, as amended (2 U.S.C. 72a–1a), the professional staff members of standing committees of the Senate shall receive basic annual compensation, to be fixed by the chairman ranging from $5,040 to $8,000.".

(g)(1) This subsection is enacted as an exercise of the rulemaking power of the House of Representatives with full recognition of the constitutional right of the House of Representatives to change the rule amended by this subsection at any time, in the same manner, and to the same extent as in the case of any other rule of the House of Representatives.

(2) Clause 28(c) of rule XI of the Rules of the House of Representatives is amended to read as follows:

"(c) Each employee on the professional staff, and each employee on the clerical staff, of each standing committee shall receive a per annum (gross) rate of compensation, constituting his total rate of compensation, to be fixed by the chairman, which is not in excess of the highest rate of compensation of the General Schedule of section 5332 of title 5, United States Code.".

(h) Section 5533(c) of title 5, United States Code, is amended to read as follows:

"(c)(1) Except as provided by paragraph (2) of this subsection, unless otherwise authorized by law, appropriated funds are not available for payment to an individual of pay from more than one position if the aggregate amount of the basic pay from the position exceeds $2,000 a year, and if—

"(A) the pay of one of the positions is paid by—

"(i) the Secretary of the Senate; or

"(ii) the Clerk of the House of Representatives (in the case of employees receiving basic rates of compensation); or

"(B) one of the positions is under the Office of the Architect of the Capitol.

"(2) Unless otherwise authorized by law, appropriated funds are not available for payment to an individual of pay from more than one position if the aggregate (gross) compensation from the position exceeds $5,987 a year, and if the pay of one of the positions is paid by the Clerk of the House of Representatives (in the case of employees receiving single per annum rates of compensation).".

(i) Each Member of the House of Representatives and the Resident Commissioner from Puerto Rico shall certify in writing, on or before the tenth day of any month in which rearrangements or changes of salary schedules of employees in his office are to become effective, to the Clerk of the House, such rearrangements or changes of salary schedules. The Clerk of the House shall disburse the compensation of such employees in accordance with such rearrangements or changes of salary schedules.

(j) The first section of the Act entitled "An Act to increase clerk hire, and for other purposes", approved December 20, 1944 (58 Stat. 831; Public Law 512, Seventy-eighth Congress; 2 U.S.C. 60g), is hereby repealed.

(k) For the purposes of applicable law relating to the payment to any person of compensation from more than one civilian office or position each employee of the House of Representatives to whom this Part applies who, immediately prior to the effective date of this Part—

(1) is receiving compensation from more than one civilian office or position, and

(2) is in compliance with such law,

shall be held and considered to be in compliance with such law on and after such effective date, notwithstanding the enactment of this Part, so long as such person does not receive any new appointment to a position on the employment rolls of the House of Representatives.

(l) Except as specifically provided in this section, the foregoing subsections of this section shall not be construed to—

(1) limit or otherwise affect any authority for the making of any appointment to, or for fixing or adjusting the compensation for, any position for which the compensation is disbursed by the Clerk of the House of Representatives;

(2) affect the continuity of employment of, or reduce the compensation of, any employee whose compensation is disbursed by the Clerk of the House; or

(3) affect the rates of basic compensation (including longevity compensation), plus increased and additional compensation, of telephone operators on the United States Capitol telephone exchange, or of members of the United States Capitol Police, whose compensation is disbursed by the Clerk of the House.

(m) All provisions of law inconsistent with this section are hereby superseded to the extent of such inconsistency.

PART 7—MISCELLANEOUS

STATIONERY ALLOWANCES OF SENATORS AND REPRESENTATIVES

SEC. 481. (a) The paragraph under the heading "Stationery (revolving fund)" in the appropriations for the Senate in title IV of the Foreign Aid and Related Agencies Appropriation Act, 1964 (77 Stat. 864; 2 U.S.C. 46a), is amended by adding at the end thereof the following: "The allowance for stationery shall hereafter be available only for (1) purchases made through the Senate stationery room of stationery and other office supplies for use for official business, and (2) reimbursement upon presentation, within thirty days after the close of the fiscal year for which the allowance is provided, of receipted invoices for purchases elsewhere of stationery and other office supplies (exclud-

ing items not ordinarily available in the Senate stationery room) for use for official business in an office maintained by a Senator in his home State. Any part of the allowance for stationery which remains unobligated at the end of any fiscal year shall be withdrawn from the revolving fund established by the Third Supplemental Appropriation Act, 1957 (71 Stat. 188; 2 U.S.C. 46a–1), and covered into the general fund of the Treasury.".

(b) The stationery allowance, as authorized by law, for each Member of the House of Representatives and each Resident Commissioner shall hereafter be available only for (1) purchases made through the House stationery room of stationery and other office supplies for use for official business, and (2) reimbursement upon presentation, within thirty days after the close of the session for which the allowance is provided, of receipted invoices for purchases elsewhere of stationery and other office supplies (excluding items not ordinarily available in the House stationery room) for use for official business in an office maintained by a Member in his home State. Any part of the stationery allowance which remains unobligated at the end of the session for which it is available shall be withdrawn from the revolving fund established by the Legislative Branch Appropriation Act, 1948 (61 Stat. 366; 2 U.S.C. 46b–1), and covered into the general fund of the Treasury.

TITLE V—REGULATION OF LOBBYING

DEFINITION OF COMPTROLLER GENERAL

SEC. 501. Section 302(d) of the Federal Regulation of Lobbying Act (2 U.S.C. 261(d)) is amended to read:

"(d) The term 'Comptroller General' means the Comptroller General of the United States."

MULTIPURPOSE CONTRIBUTIONS AND EXPENDITURES

SEC. 502. (a) The caption of section 305 of the Federal Regulation of Lobbying Act (2 U.S.C. 264) is amended by changing "CLERK OF HOUSE" to read "COMPTROLLER GENERAL".

(b) Subsection (a) of such section is amended—

(1) by changing "Clerk" to read "Comptroller General"; and

(2) by adding at the end thereof the following new sentence:

"Where contributions are received or expenditures made in part for the purposes described in subparagraphs (a) and (b) of section 307 of this title and in part for any other purpose, the statements required to be filed by this subsection shall include only that part of the amount of any such contribution or expenditure which was for the purposes described in such subparagraphs, except that if the relative proportions cannot be ascertained with reasonable certainty, such statements shall show total receipts and expenditures together with an estimate by the registrant of the part thereof which was for the purposes described in such subparagraphs, and an estimate of the part thereof which was for other purposes.".

(c) Title III of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 305. Statements to be filed with Clerk of House."

and inserting in lieu thereof—

"Sec. 305. Statements to be filed with Comptroller General.".

FIVE-YEAR PRESERVATION OF RECORDS

SEC. 503. Section 306 of the Federal Regulation of Lobbying Act (2 U.S.C. 265) is amended—

(1) by changing "Clerk" to read "Comptroller General" all four times it appears therein;

(2) by striking out "of the House of Representatives"; and

(3) by changing "two" to read "five".

SUBSTANTIAL PURPOSE CONTROLLING

SEC. 504. Section 307 of the Federal Regulation of Lobbying Act (2 U.S.C. 266) is amended—

(1) by changing "to be used principally" to read "a substantial part of which is to be used"; and

(2) by changing "the principal" to read "a substantial".

CONTINGENT FEES; BROADCASTING

SEC. 505. (a) The caption of section 308 of the Federal Regulation of Lobbying Act (2 U.S.C. 267) is amended by changing "SECRETARY OF THE SENATE AND CLERK OF THE HOUSE" to read "COMPTROLLER GENERAL".

(b) Subsection (a) of section 308 of the Federal Regulation of Lobbying Act (2 U.S.C. 267(a)) is amended—

(1) by changing "Clerk of the House of Representatives and the Secretary of the Senate and shall give to those officers" to read "Comptroller General and shall give to that officer"; and

(2) by changing "Clerk and Secretary" to read "Comptroller General".

(c) Such subsection is further amended by inserting immediately after the first sentence thereof: "Any person required to register pursuant to this subsection in connection with any activities for which he is to receive a contingent fee shall, before doing anything for which such fee is to be paid, file with the Comptroller General, in such detail as he may require, a description of the event upon the occurrence of which the fee is contingent, and, depending on the arrangement, a statement of the amount of the fee either in terms of a dollar amount or in terms of percentage of recovery. A copy of any such contingent fee contract may be filed with the Comptroller General by any registrant, and shall be so filed at the request of the Comptroller General.".

(d) The next-to-last sentence of such subsection is amended by changing "publications in which he has caused to be published" to read "publications, or any broadcasting stations, in or from which he has caused to be published or broadcast".

(e) Such subsection is further amended—

(1) by inserting "any licensed radio or television broadcasting station or" before "any newspaper or other";

(2) by changing "newspaper or periodical" to read "broadcasting station, newspaper, or periodical";

(3) by inserting "or broadcasts" before "news items, editorials,"; and

(4) by inserting "broadcasting station," before "newspaper, periodical, or individual,".

(f) Subsection (b) of such section (2 U.S.C. 267(b)) is amended by changing "Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly," to read "Comptroller General of the United States shall be compiled by him and transmitted to the Speaker of the House of Representatives and the President of the Senate".

(g) Title III of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 308. Registration with Secretary of the Senate and Clerk of the House."

and inserting in lieu thereof—

"Sec. 308. Registration with Comptroller General.".

ADMINISTRATION BY COMPTROLLER GENERAL

SEC. 506. (a) Sections 310 and 311 of the Federal Regulation of Lobbying Act are respectively redesignated as sections 311 and 312.

(b) That Act is amended by inserting therein, immediately after section 309 thereof, the following new section:

"POWERS AND DUTIES OF THE COMPTROLLER GENERAL

"SEC. 310. The Comptroller General as the agent of the Congress shall—

"(1) develop and prescribe methods and forms for the filing of reports and statements required by this title, and promulgate regulations for the administration of this title;

"(2) make available for public inspection all reports and statements filed pursuant to this title;

"(3) ascertain whether any persons have failed to file reports or statements as required by this title, or have filed incomplete or inaccurate reports or statements under this title, and notify such persons that they are obligated to file such reports or statements in compliance with the requirements of this title;

"(4) refer to the Department of Justice for appropriate action any information coming to his attention, through complaints or otherwise, of any failure to register, or the filing of any false, improper, or incomplete registration or information under this title;

"(5) make such studies and transmit to the Congress such recommendations as the Comptroller General may deem to be necessary or appropriate to further the objectives of this title;

"(6) retain for a period of not less than five years each report and statement filed under this title, and during such period, make such reports and statements, or true and correct copies thereof, available as public records open to public inspection; and

"(7) transmit to the Congress annually a full and complete report on the administration of this title.".

(c) Title III of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 310. Penalties.
"Sec. 311. Exemption."

and inserting in lieu thereof—

"Sec. 310. Powers and duties of the Comptroller General.
"Sec. 311. Penalties.
"Sec. 312. Exemption.".

VIOLATION OF REGULATIONS

SEC. 507. Section 311 of such Act (that is, the section which, prior to the redesignations made by section 506 of this Act, was section 310 of the Federal Regulation of Lobbying Act, 2 U.S.C. 269) is amended—

(1) by striking out "(a)" in subsection (a) thereof;

(2) by inserting "or any regulation of the Comptroller General issued pursuant to this title," immediately before "shall, upon conviction," in the first sentence thereof; and

(3) by striking out subsection (b) thereof.

TITLE VI—EFFECTIVE DATES

EFFECTIVE DATES

SEC. 601. This Act shall take effect as follows:

(1) Title I, section 201 of title II, parts 1, 4, and 5 of title II, parts 2 and 3 of title III, parts 1, 2, and 3 of title IV, section 235, section 301(d), and this section shall take effect on the thirtieth day after the date of enactment of this Act.

(2) Parts 2 and 3 of title II (except section 235), part 1 of title III (except section 301(d) thereof), part 4 of title IV, and title V shall take effect on January 1, 1968.

(3) Parts 5 and 6 of title IV shall take effect on the first day of the third month which begins after the date of enactment of this Act, except that, until such first day of such third month, for the purposes of section 223(b) of the Legislative Reorganization Act of 1946, as amended by section 333 of this Act, and for the purposes of sections 404 and 407 of this Act, references to section 202(e)(1) of the Legislative Reorganization Act of 1946, as enacted by section 471(f) of this Act, shall be held and considered to refer to section 202(e) of the Legislative Reorganization Act of 1946, as in effect on the date of enactment of this Act and as applicable to the House of Representatives.

(4) Section 481(a) shall take effect with

respect to the stationery allowance for the first fiscal year beginning after the date of enactment of this Act. Section 481(b) shall take effect with respect to the stationery allowance for the first session of Congress beginning after the date of enactment of this Act.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the bill may be renumbered to include the various amendments which have been agreed to, and that the Secretary of the Senate be authorized to make other necessary technical changes and corrections.

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

Mr. MANSFIELD. Mr. President, I warmly congratulate the senior Senator from Oklahoma [Mr. MONRONEY] for his singularly outstanding triumph in steering the legislative reorganization measure to overwhelming approval by the Senate. Today's victory marks the culmination of the special committee's efforts to create an effective and constructive reorganization which have spanned the last 2 years.

The decisive vote in favor of the proposal speaks abundantly for the high caliber of those efforts. Even more, it demonstrates the immense propriety of our choice of Senator MONRONEY as leader of the Senate delegation to the special committee. There is no one in this body who understands better or appreciates more the specific reforms which should be adopted in the Congress. His experience in assisting to formulate the basic plans which resulted in the enactment of the last reorganization measure in 1946, the immense success of that measure, and his profound expertise gained from his many years of public service in the Congress assured the best possible proposal. I am confident that when this measure is finally implemented it will be just as effective and just as successful as was the Act of 1946.

Our thanks go also to the ranking member of our delegation from the other side of the aisle, the senior Senator from South Dakota [Mr. MUNDT] and to the other members of the delegation for whose diligence and devotion the entire Senate is grateful.

Mr. RANDOLPH. Mr. President, the Senate has this afternoon acted with wisdom in approving the Legislative Reorganization Act of 1967. After comprehensive hearings and thorough debate this measure received the overwhelming support of the Members of this body—support which indicates understanding of the need for constructive changes in congressional structure and procedure.

On this occasion I wish to call particular attention to one provision of the act, that which would create in the U.S. Senate a Standing Committee on Veterans' Affairs. As chairman of the Subcommittee on Veterans' Affairs of the Committee on Labor and Public Welfare, I am pleased that this much needed step has been achieved.

In 1961 and 1963, I joined with other Members of the Senate in cosponsoring legislation which would have brought into being a full Senate Committee on Veterans' Affairs. In 1965, in the 89th Congress, I introduced Senate Resolution 55 which would have given this necessary representation to our veterans of military service and their families. At that time I noted that—

With the growing population of our country, with the growing complexity of Government, the workload of all standing committees is being increased and necessitates greater specialization. At the same time, there are approximately 23 million veterans and their dependents, whose problems do not have the attention of a specialized committee in the Senate.

It is heartening, Mr. President, that those veterans and their dependents will henceforth have recourse to a Standing Committee on Veterans' Affairs in the U.S. Senate. Following the dictates of logic and good order, legislation relating to the full scope of veterans' activities and interests can now be referred to a single committee for more efficient and thorough consideration. I am likewise gratified to be among those Senators who have introduced in this 90th Congress resolutions calling for the establishment of such a committee.

It was my special privilege, Mr. President, to be able to report this afternoon's affirmative action by the Senate to a group of West Virginia veterans who were visiting my office. Present were members of the Veterans of Foreign Wars, Department of West Virginia, who are in Washington, D.C., to attend their organization's conference of national officers and department commanders.

Spokesmen of the West Virginia delegation were Richard W. Homan, Sugar Grove, W. Va., national junior vice commander in chief; Emmett W. Williams, Jr., Beckley, W. Va., department commander; and, Ralph W. Honaker, Huntington, W. Va., member of the national council of administration.

I request unanimous consent that the roster of the West Virginia delegation to the VFW Washington Conference, March 4–7, be printed in the RECORD at this point.

There being no objection, the roster was ordered to be printed, as follows:

VETERANS OF FOREIGN WARS DEPARTMENT OF WEST VIRGINIA

The following are the Officers and Delegates to the Annual Washington Conference, March 4–7, 1967:

Richard W. Homan, Jr. Vice Commander-in-Chief, Sugar Grove.

Emmett W. "Pat" Williams, Jr., Department Commander, Beckley.

Lloyd G. Barnes, Sr. Vice Commander, Clarksburg.

Ivan O. Hodges, Jr. Vice Commander, Elkins.

Ralph Stump, Adjutant-Quartermaster, St. Albans.

Leonard E. DeWitt, Sr., Department Surgeon, Wellsburg.

John L. Frazer, Chief of Staff, Morgantown.

David J. Lowery, Inspector, Weirton.

Ralph W. Honaker, Past Commander and National Council Member, Huntington.

Donald D. Wagoner, 4th District Commander, Fort Ashby.

Otis Harper, Jr., 7th District Commander, Moyers.

Elmer Jenkins, 8th District Commander, South Charleston.

Melvin B. Linton, Service Officer, Huntington.

Leo C. Shuck, Past Department Commander, Keyser.

James R. Fawcett, Past Department Commander, Grafton.

Don S. Maupin, Past Department Commander, Moundsville.

James E. Deal, Past Department Commander, Huntington.

Chester L. Shanklin, Voice of Democracy Chairman, Charleston.

John F. Bennett, Loyalty Day Chairman, Grafton.

Milton Joy, County Council Commander, Fairmont.

Roland E. Lex, Past District Commander, Arlington, Va.

C. S. Collier, Jr., Director, West Virginia Department of Veterans Affairs, Charleston.

William R. Smallridge, Commander, Post No. 1064, Huntington.

J. A. Avers, Commander, Post No. 3518, Keyser.

A. A. Gavazzi, Manager, V.A. Center, Martinsburg.

John E. Louzy, Post No. 3081, Grafton.

Henry Shepherd, Post No. 7048, Fairmont.

Peter P. Fahad, Post No. 1212, Parkersburg.

Alfred Wagner, Post No. 573, Clarksburg.

Leslie Yost, Post No. 3518, Keyser.

Tom Davis, Post No. 3518, Keyser.

Claude Armstrong, Post No. 896, Martinsburg.

James Bell, Post No. 896, Martinsburg.

Charles Dodson, Post No. 896, Martinsburg.

Charles Hopkins, Post No. 896, Martinsburg.

Gerald Kauffman, Post No. 896, Martinsburg.

Edward Kearns, Post No. 896, Martinsburg.

Lonzo Lockard, Post No. 896, Martinsburg.

Andrew Mason, Post No. 896, Martinsburg.

Lee P. McDonald, Post No. 896, Martinsburg.

C. W. Minnick, Post No. 896, Martinsburg.

W. Carl Munson, Post No. 896, Martinsburg.

William Reid, Post No. 896, Martinsburg.

Albert L. Rudy, Post No. 896, Martinsburg.

Edward Shipper, Post No. 896, Martinsburg.

Marvin Snow, Post No. 896, Martinsburg.

TRIBUTE TO SENATORS FULBRIGHT AND LAUSCHE

Mr. MANSFIELD. Mr. President, the Senate unanimously passed 10 treaties last Wednesday. The Committee on Foreign Relations is to be highly commended for making possible the swift and overwhelming acceptance of these measures.

I wish particularly to thank the chairman, the distinguished Senator from Arkansas [Mr. FULBRIGHT] and the subcommittee chairman, the distinguished Senator from Ohio [Mr. LAUSCHE], whose careful and expeditious handling of the treaties assured such efficient action. I would only add that such a disposition speaks highly for the effective and capable manner in which all proposals are acted upon by the Committee on Foreign Relations. The entire Senate is grateful.

TRIBUTE TO SENATOR JACKSON

Mr. MANSFIELD. Mr. President, over the years the junior Senator from Washington [Mr. JACKSON] has earned the highest respect of all Members of the Senate. Indeed the people of the State of Washington—and of the Nation are indebted to him for working so long and so hard and so constructively in their behalf.

I now wish to commend him for the outstanding manner in which he has handled and directed the disposition of

all legislation entrusted to the committee he so capably chairs—the Committee on Interior and Insular Affairs. The careful and conclusive treatment given to all of the many bills and resolutions coming within the jurisdiction of his committee best demonstrate his unexcelled appreciation of the responsibilities of a U.S. Senator. The expedition and efficiency with which the Interior Committee operates to dispose of its immense workload best indicate the deep devotion and highly proficient talents of its chairman.

Senator JACKSON truly has set an example to which we all should aspire. As one Senator and particularly as the majority leader I just want to express my appreciation.

TRIBUTE TO SENATOR RUSSELL

Mr. MANSFIELD. Mr. President, with the Senate's approval of the supplemental military procurement authorization last week, the Nation again witnessed the highly effective leadership and sincere devotion of the one Member of this body whose vast knowledge of the needs of our fighting men is unexcelled throughout the land. I of course speak of the senior Senator from Georgia [Mr. RUSSELL], the able and astute chairman of the Committee on Armed Services.

His ready grasp of all of the complexities which comprise our military budget, his profound appreciation of all of the problems involved best distinguish his service to the Nation. Few men in the Senate have earned as much respect by devoting so much of their time and energy and talents in behalf of the Nation. I only wish to commend him today as he has been commended so often in the past for again serving with devotion, with diligence, and with dignity.

THE LAWYER AS LOBBYIST

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an article which was published in the February 1966 issue of the American Bar Association Journal, entitled "The Lawyer as Lobbyist." The article was written by Charles D. Ablard, chairman of the Special Committee on Code of Federal Administrative Procedure of the American Bar Association.

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

THE LAWYER AS LOBBYIST

(By Charles D. Ablard)

The role of the lawyer as an advocate before courts and administrative bodies is established and accepted by the legal profession. However, the role of the lawyer as an advocate in the formation of laws by the Congress and State legislatures is not only often misunderstood but frequently rejected as a proper role by members of the bar. Yet, there is as much need for the lawyer in the process of formulation of statutes by legislatures as there is after enactment in interpretation by the administrators and agencies to which they apply and in judicial review by the courts.

Part of the reason for this misunderstanding is the broad range of activities usually thought of in connection with "lobbying." While the more colorful aspects may be the subject of press comments, most of the effective and realistic work in the field of lobbying receives little attention.

Why should the lawyer be considered specially trained or qualified for lobbying? The lawyer is trained to interpret laws and provide legal analyses for his clients. The lawyer who can interpret and analyze existing laws can also analyze the need for remedial legislation and the specifics for achieving it. In addition, the lawyer is also trained as a skillful gatherer and interpreter of facts. And facts, properly presented and carefully analyzed, are the bases for most legislation.

There are an infinite number of possible problems and approaches with which the lawyer-lobbyist may be faced. He may be called upon to defeat an existing bill, create a legislative program for his client, seek clarifying legislation to overrule a decision of a court or regulatory agency, or substitute one section of a bill for another. He may enter the problem at any stage, including the earliest stage of developing a legislative program. It is almost as impossible to summarize lobbying as it is to summarize the scope of the practice of law.

For the purposes of this brief article, let us assume that the lawyer-lobbyist is asked to draft and obtain the passage by Congress of a bill that benefits his client. Let us also assume that he decided to begin his work in the House of Representatives rather than proceeding simultaneously in both the Senate and House, which is often procedurally difficult and more time consuming. After the facts have been analyzed with the client and the existing statutes and decisions checked, the bill is drafted.

The decision as to the House in which to proceed would have been based on the likelihood of favorable action by the committee to which the bill will be referred. A sponsor must be found, but first it should be determined to which committee and subcommittee of the House the bill will be referred when it is introduced. At this point discussion with the Parliamentarian of the House frequently is helpful. An effort should then be made to have the bill introduced by a member of the committee or subcommittee to which it will be referred, unless a member of the leadership will sponsor it.

The member of the subcommittee to which the bill has been referred knows the committee members and staff and is in a position to urge that hearings be held and to bring it to a vote within the committee. Most Members of Congress will urge the proponent of a bill to obtain as sponsor a member of the appropriate committee and will be hesitant to introduce a bill unless it relates to functions of the committee on which they serve.

Obviously, the ideal sponsor of any bill is the chairman of the committee or subcommittee to which it will be referred. If he declines, a member of the committee, an influential one—it is hoped—should be found to introduce the bill. Cooperation from the ranking minority member of the committee is of considerable importance, and he should be encouraged to introduce a companion bill.

Now that the bill has been drafted and introduced, the Federal Regulation of Lobbying Act (2 U.S.C. 261–270) requires registration with the Secretary of the Senate and the Clerk of the House of Representatives of anyone who seeks to influence the passage or defeat of any Federal legislation.

At this point a factor frequently overlooked should be considered. This is the submission of the bill by the committee to which it has been referred to the executive department or agency the bill affects. The reports of the department or agency, stating whether they have objections to the bill, are communicated to the committee. The final paragraph in these letters usually states that the Bureau of the Budget has examined the bill to determine not only the cost of administering the proposal but, more important, to determine whether it is consistent with the policy programs of the White House. Thus, the views of the department or agency and the Budget Bureau can have a material bearing on the outcome of the bill. An attempt to obtain support in advance from the department or agency and the Bureau of the Budget is frequently a wise course of action, if for no other reason than to evaluate the strength and depth of the opposition of the affected department or agency and the Bureau.

After the reports on the bill are filed, the chairman of the committee must be persuaded to schedule hearings. A strong adverse report frequently dissuades a committee from holding a hearing. When hearings are scheduled, the next question to be resolved is who will testify in support of the bill. Generalizations are dangerous but although lawyers generally make good witnesses, there are certainly poor lawyer witnesses and excellent industry witnesses. The lawyer is doing the job for which he is trained and proficient. If the bill is a technical one requiring expert engineering or scientific testimony, an engineer or scientist should present the principal testimony. One general exception to lay testimony is in testimony before the committees on the judiciary. Both committees are composed entirely of lawyers and are called lawyers' committees.

Questions are often used as the means for developing salient facts and analyzing the attitude of the Members of Congress who will vote on the legislation. These questions often can be suggested to the members of the committee and to the committee staff.

The lawyer who is retained to influence the passage or defeat of legislation should become acquainted with and fully brief the staff counsel to the committee considering the bill. Most staff members welcome discussions with interested parties or counsel, as their time is limited and is divided among various legislative proposals. These briefings and discussions save the time of the staff and assist it in the conduct of the hearings.

The lawyer-lobbyist will want to call on members of the committee or subcommittee after the hearings to ascertain their views and to urge favorable action on his bill. It is always desirable to have a brief summary of the reasons the bill should be enacted to leave with the Congressman for future reference. If possible, the summary should be confined to one page, as the lengthy memorandum usually will not be read. This is a challenge to a lawyer who has difficulty in writing a brief brief. When calling on a Congressman, one's discussion should be concise and to the point. The time of Congressmen is limited, and they are usually concerned with a great variety of problems, notably those of their constituents.

In addition to discussing the bill with the Congressman, the lawyer should confer with the Congressman's legislative assistant, and the same summary left with the Congressman should be presented to the assistant for study. It may be preferable to begin with a discussion with the assistant, for the assistant who favors the bill may be of great help with the Congressman.

After the committee has met and, it is hoped, favorably reported the bill, the lawyer-lobbyist will then want to work with the staff of the committee in preparing a report on the bill. He should offer assistance to the staff in this function, but it is not always accepted. Writing the report that creates the legislative history is often a most important part of the lawyer's role, for it prepares the basis for the later interpretation of his bill by the courts.

Once reported favorably by a subcommittee or a committee, most bills, unless highly controversial, are passed with only minor modification by the House. Thus, getting the bill out of committee becomes of paramount importance. When the bill has been reported favorably by the committee and a

report written, it will then be brought to the floor for action by the House.

The bill can be brought to the floor of the House in a variety of ways. The first is the Consent Calendar, which means that there must be no objection to considering the bill. The second is under suspension of the rules, which requires a two-thirds vote of the House to consider and to pass the bill. The Congressman who brings the bill up in this manner must be recognized for this purpose by the Speaker of the House, and it can be done only on certain days. The third method is through a rule issued by the Rules Committee, which may be either a closed rule, which specifies that no amendments or limited amendments can be made to the bill, or an open rule, which permits amendments but may impose certain other limitations, such as the subject matter of the amendment and even who can offer it.

Time will usually not permit the lawyer-lobbyist to call on every Member of Congress, although on some occasions a brief letter urging support for the bill and outlining the need for its enactment might be addressed to each Member at least a week before it is considered on the floor. The bill is brought to the floor of the House by the chairman of the committee that held the hearings, who is usually the floor manager.

If the bill is passed by the House, it goes to the Senate and is again referred to the appropriate committee. If the bill is not of major consequence and little opposition has been developed in the House hearings, it is possible to have the bill brought directly to the floor of the Senate without hearings by a Senate committee. If hearings by a Senate committee are held, the same procedures followed in the House should be duplicated in the Senate. The Senate has no committee which functions as the Rules Committee does in the House, and thus the bill proceeds directly from the legislative committee to the floor of the Senate when favorably reported.

After passage by the Senate, the bill is sent to the White House for signature or veto by the President.

If he has done everything correctly and has had a little bit of luck, the lawyer-lobbyist may be the author of a new law.

LOBBYIST ACTIVITIES BY BAR ASSOCIATIONS AND BY INDIVIDUAL LAWYERS, AND THEIR ROLE IN THE LEGISLATIVE PROCESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD a paper which I prepared last year, and which was printed in the RECORD of March 4, 1966, entitled "Lobbyist Activities by Bar Associations and by Individual Lawyers, and Their Role in the Legislative Process."

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

LOBBYIST ACTIVITIES BY BAR ASSOCIATIONS AND BY INDIVIDUAL LAWYERS, AND THEIR ROLE IN THE LEGISLATIVE PROCESS

Mr. BYRD of West Virginia. Mr. President, James Madison, writing in Federalist No. 10, speculated that the mischief of "factions"—or special interest groups—could be cured either by removing the causes or controlling the effects. The first was unthinkable because the right to create factions was an essential aspect of a free society. As to the second possibility, he wrote:

"The regulation of these various and interfering interests forms the principal task of modern legislation, and involves the spirit of party and faction in the necessary and ordinary operations of the Government."

The role of government as a referee of battling interest groups, though interesting as a subject, is beyond the dimensions of my discussion today. Regulation of interests and interest groups, however, has now become a major function of government, and the obverse of this situation, the efforts of interest groups to influence the Government, more specifically the Congress, is a subject of particular concern. In this regard, although I do not by any means categorize the American Bar Association as an interest group in the sense of being a "battling faction" with selfish interests to advance, I will devote a major portion of this discussion to its so-called lobbying efforts because of the interest of attorneys in its activities.

The key word, if I can use such a term, is "influence." It exists in numerous forms and operates in a multitude of fashions. Its effect, for instance was evident on the man who had just bought a new baby-blue Cadillac. The salesman was interested in uncovering the effects of their costly, recent, advertising program.

"I wonder if you would tell me what was the one dominating thing that made you buy this car?", the salesman asked him.

"My wife," said the customer.

I have no intention of equating the influence of attorneys and the American Bar Association upon legislation to that of the lady in the purchase of the car, but the record is very impressive, and in fact should be because of the natural relationship of the bar to the legislative process.

I shall, therefore, explore the influence of the bar upon the content of statutes, the work of members of the bar from the outside, as lobbyists, rather than from the inside as legislators.

The lobbyist has often been depleted as a rather rotund man with a large black cigar and a large black bag overflowing with legislative bills, legislative data, and also a more material consideration for influencing votes. The term itself was derived from newspaper shorthand in the late 1820's for persons who frequented the lobbies of government buildings in order to speak to legislators or officials. Stories are told from the days of the robber barons about the lords of the railroads or the oil industry descending upon State legislatures with suitcases stuffed with currency. It perhaps on occasion happened to Congress as the infamous credit mobilier scandal in the 19th century testifies.

It was done under cover of the right to petition and the right of free speech. There is no doubt that in the past, abuses of these rights have occurred. Congress, from time to time, has undertaken investigations of such abuses and has ultimately adopted self-protective measures.

In 1852, the House of Representatives forbade access to the floor to newspapermen employed as agents to prosecute any claim pending before Congress. In 1854, the House established a select committee to investigate the efforts of Samuel Colt to secure extensions of a patent including alleged offers of money to Members or use of other illegal means to secure passage or defeat of a bill.

In 1867, the House modified its rules to exclude from floor privileges former Members who were interested in claims pending before Congress.

In 1876, the House adopted a lobbyist registration resolution, but its duration was only during the 44th Congress.

Bills to regulate lobbying and lobbyists began to be dropped into the hopper with some regularity beginning in 1907. In 1913, one of the most thorough investigations of lobbying was carried on by a select committee of the House relative to the activities of a former lobbyist for the National Association of Manufacturers.

The report issued by the select committee—House Report No. 113, 63d Congress, 1913—is one of the most extensive and penetrating ever produced on lobbying. It revealed that the chief page of the House was in the employ of an NAM lobbyist and kept his employer advised of what transpired in the House cloakrooms and in personal conversations on the House floor. The lobbyist was permitted the use of a room in the Capitol Building itself, and his intimate contacts with leading Members resulted in his securing advance information regarding pending and proposed legislation. It was even averred that the NAM lobby controlled the appointment of Members to committees. Incidentally, I wish to call attention here to "Congressional Lobbies: A Chronic Problem Reexamined," by the late John F. Kennedy, written when he was a Senator, 45 Georgetown Law Journal 535, summer 1957.

In 1927, the Senate did pass a lobbyist registration bill, but it died in the House.

Finally, as a result of the exposure of public utility scandals in 1935 and 1936, Congress added a provision to the Public Utilities Holding Act of 1935 (40 Stat. 825) requiring registration of those who would "present, advocate or oppose any matter" affecting holding companies before Congress, the SEC or the FPC. A substantially similar provision, but tied to the Federal Maritime Board and the Secretary of Commerce, as well as to Congress, was included in the Merchant Marine Act of 1936 (49 Stat. 2014).

In 1938, the Foreign Agents Registration Act was passed (52 Stat. 631) requiring anyone representing foreign governments or principals to register with the Department of Justice.

By the end of the 1930's, then, Congress had passed a number of laws requiring the registration of lobbyists in particular circumstances—including a statute early in the century prohibiting lobbying with appropriated funds (41 Stat. 68 (1919)).

No general act, however, had been passed.

Then, as title III of the Legislative Reorganization Act of 1946 (60 Stat. 839; 2 U.S.C. 261–270) Congress enacted the Federal Lobbying Act requiring anyone who solicits or receives funds for the purpose of lobbying Congress to register with the House Clerk, the Secretary of the Senate, and/or to file quarterly financial reports.

The act has not been amended since its enactment although it was the subject of a searching House committee probe in 1950, and of another by the Senate Committee on Government Operations, in 1956. It also received attention in an appraisal of the operations of the Legislative Reorganization Act of 1946, by that latter Senate committee, in 1951.

As the first and only general Federal lobbyist registration law, the 1946 act did not restrict the activities of lobbyists. Involved were the vital constitutional rights of freedom to petition and freedom of speech. Consequently the statute was an exposure law requiring individuals or organizations, except those regulated by the Corrupt Practices Act, who solicit or receive money "to be used principally to aid, or the principal purpose of which person is to aid" in influencing legislative action, to register with the Clerk of the House and the Secretary of the Senate providing such information as who his employer is, his legislative interest, and how much he is to be paid.

Registrants must file quarterly reports of contributions received and expenditures made. Violators can be fined up to $5,000, or imprisoned 1 year or both and shall be prohibited from lobbying for 3 years.

It is essentially a criminal statute, but there have only been three convictions under it. These occurred in 1956, in a situation involving the natural gas bill in which a campaign contribution of $2,500 was attempted to be left with the late Senator Francis Case of South Dakota by two attorneys acting for the Superior Oil Co. of California. Senator Case did not accept the money, and in December 1956, the two men, John Neff of Nebraska and Elmer Patman of Texas were found guilty of violating the

lobbying act by failing to register although engaged in lobbying the natural gas bill. They were fined $2,500 each and given 1-year suspended sentences by the U.S. District Court in Washington, D.C. The Superior Oil Co. was fined $5,000 on each of two counts of aiding and abetting the two men to violate the lobbying law.

Other investigations of lobbyists, subsequent to these convictions, took place in 1959 when a House Armed Services Subcommittee examined the role of former military and defense personnel in winning defense contracts for private business, and in 1962, when the Senate Foreign Relations Committee investigated the activities of lobbyists in regard to the extension of the Sugar Act.

The subject has occupied a fair proportion of congressional time over a period of almost a century and a half. Lobbying is an essential element in our system of representative government. The making known of views of interested parties—sometimes contradictory—to the legislative branch is a vital process in governing. The right to make such views known rests upon solid constitutional foundations.

As the Supreme Court declared in *U.S.* v. *Harriss*, 347 U.S. 612, 625 (1954):

"Yet full realization of the American ideal of government by elected representatives depends to no small extent on their ability to properly evaluate * * * pressures. Otherwise the voice of the people may all too easily be drowned out by the voice of special interest groups seeking favored treatment while masquerading as proponents of the public weal. This is the evil which the Lobbying Act was designed to help prevent."

The Court continued:

"Toward that end Congress has not sought to prohibit these pressures. It has merely provided for a modicum of information from those who for hire attempt to influence legislation or who collect or spend funds for that purpose. It wants only to know who is being hired, who is putting up the money, and how much. It acted * * * to maintain the integrity of a basic governmental process."

The act itself, however, has been the subject of considerable criticism, as have been the few court decisions, notably the Harriss case, wherein its constitutionality has been sustained.

The law does require exposure and undoubtedly has flushed out into the open many lobbyists who were unknown to the public and even to many Members of Congress. It has contributed to making the lawmaking process take place in a goldfish bowl.

The act does contain certain exemptions, that is, those required to report under the Corrupt Practices Act—political committees—those who merely appear before a committee of Congress in support of or in opposition to legislation, public officials acting in their official capacity, and newspapers and periodicals.

The Harriss decision, by construing the act narrowly, left large gaps in its coverage and limited its effectiveness. The Court held that the act only applied to groups or persons who solicit, collect, or receive contributions for the main or principal purpose of influencing the passage or defeat of legislation through direct communication with Members of Congress. The Court felt that it had to so construe the act as a legitimate protection of the integrity of the governmental process in order to dispose of allegations that the law invaded the realms of the right to petition, of free speech and press, and so forth.

The Court's interpretation has permitted groups or individuals that spend their own money to finance activities designed to influence legislation and without collecting or soliciting from others, to avoid registering.

It has allowed numerous organizations to argue that the principal purpose for which they collected money was not to influence Congress and consequently there was no need for them to register.

Others have asserted that since the essence of the act is communication with Members of Congress, they were not covered where their activities were confined to influencing the public on legislation.

Another ambiguity concerns the kind of communications with Members that are covered. Do they include mere informational contacts, for instance?

Finally, other weaknesses in the statute relate to its administration. Registrants themselves make the determination of what portion of total expenditures to report. No person, or committee, or group was empowered to examine and investigate reports to ascertain their truthfulness. While the Justice Department must prosecute, it was given no mandate to investigate.

Various recommendations as to the improvement of the law have been made by congressional committees and others, but they have yet to be acted upon. The current Joint Committee on Reorganization is examining the subject and most likely will report amendments.

The act has only partially admitted light into the catacombs wherein many lobbyists work. Changes are necessary so long as they are confined to the constitutional spectrum. It is to be hoped that they will shortly come about so that the process of lobbying as an essential component of the democratic system can contribute most meaningfully to the Nation.

For lobbying, despite what has been said about its abuses and the fact that it often panders to selfish interests, is an integral part of the governing process. At its best it has an informative function for both Congress and the public about matters that require attention. It may often, as generally in the case of bar associations, be directed to some larger view of the public interest which does not specifically benefit its members. It helps to stimulate public debate and encourage the development of a national consensus. It is an avenue of approach to Congress for the needy or those wronged by society. It supplies legal support for proposals, or precedents against them. It provides practical and concrete illustrations of how legislation would affect those within its ambit. Technical information, originally research, and even suggested drafts of bills or amending clauses are often supplied by lobbyists. Perhaps, most important of all, the presentations of interest groups of all colors of persuasion enable Congress to partially gage the needs and temper of the Nation and give to that body and the public a far clearer portrayal of problems and of the real meaning of certain proposals.

At its worst, lobbying can involve bribery and conflicts of interest and while Federal statutes prohibit both activities few have been the lobbyists who have been convicted thereunder. The statutes are available though to deter those who might consider going beyond a mere failure to register under the lobbying act.

Related to the subject of lobbying in its broadest connotation are the Federal Corrupt Practices and Hatch Acts which require certain reporting of campaign contributions and expenditures, set limits on contributions, and forbid corporate and labor union contributions or expenditures on behalf of candidates in Federal elections. These topics of serious import are, however, beyond the limits of this discussion.

Lobbyists and lobbying include a wide spectrum of types of activities and functions. Lobbyist is often used as a synonym for "pressure group," meaning an organization or person whose activities are directed primarily at influencing the decisions of Congress.

It can refer to propaganda activities designed to influence the electorate on a particular issue and consequently indirectly to influence Congress.

Lobbying can relate to groups engaged in general educational campaign espousing a set of principles of government or general policies, which groups may directly influence Congress and/or the public.

Lobbying may relate to a narrow interest of the members of a group or to more general matters of public benefit to be shared by group members as citizens.

Often a lobbyist works on behalf of others, either a group or a person, generally for pay, and attempts to influence Congressmen through direct contacts.

A lobbyist may or may not be required to register under the 1946 act. As has been noted, loopholes in the act itself, as well as augmentation of such through judicial decision, have enabled numerous persons and organizations, popularly thought of as engaged in lobbying, to avoid the necessity of registering and reporting.

Lobbying in some respects has accelerated with the growth of the Federal Government and the extension of its activities into additional areas of economic and social concern. In the past, questions of tariff policy, monetary policy, distribution of the public domain, and matters of internal improvement were the inspiration for much of the lobbying activity. Today, labor-management relations, welfare legislation, research grants, defense spending, urban problems, and civil rights matters are among the subjects of continuous lobbying pressure.

Communications developments have resulted in an increasingly expanded role of mass pressure organizations at the expense of the behind-the-scenes operator. Recent times have seen a noticeable reduction in the old "wine, women, and song" plus "folding money" types of pressures. Indirect pressure techniques of mass mailings and promises and/or threats of political support are supplanting the older methods.

Pressure for particular benefits for specific groups is still probably the major focus of lobbying activities, but ideological issues on which particular groups or persons will gain no direct advantages have been the subject of numerous lobbying efforts since World War II. The great labor organizations, for example, have not only lobbied for "bread and butter" issues, but also on questions of civil rights and aid to education, among others.

Among the most continuously active lobbying organizations in modern times, as listed by the Congressional Quarterly (Congress and the Nation 1945–64, 1965, p. 1591), have been the American Legion, the AFL–CIO, the American Farm Bureau Federation, the National Association of Electric Companies, the National Association of Real Estate Boards, the United Federation of Postal Clerks, the American Medical Association, and the Association of American Railroads. Such a listing itself is suggestive of the vast array of issues of significance to interest groups.

Foremost among lobbyists are, of course, lawyers. They have been active in the lobbying process on behalf of individual clients and in respect to general issues almost from the earliest days of the Republic. While some attorneys are registered under the 1946 act, many are not, primarily because their activities fall within the statutory exemption respecting appearances before congressional committees. Some are registered, for instance, on behalf of estates involved in claims and legal problems with the Government. Some are registered such as was the law firm of former Congressman Dow Harter, of Ohio, because they have been employed to represent specific interests. In this case, it was B. F. Goodrich Co. at one time, and Avon Products, Inc., at another.

The American Bar Association itself is not listed as a lobbyist organization, but the CONGRESSIONAL RECORD of August 30, 1965, shows that two Washington attorneys are

registered as representatives of the association.

Attorneys possess a number of advantages which enable them to participate favorably in the lobbying process. Successful lobbying requires perception, persuasion, patience, persistence, and planning, and I recommend, in this regard, a reading of "The Lawyer as a Legislative Lobbyist," by Robert Satter, 34 Connecticut Bar Journal 38, March 1960.

Lobbying, in essence, is systematic advocacy, and demands an understanding and appreciation of the legislative process including not only a knowledge of procedures but also of influential Congressmen. It requires persuasion to overcome hostility and win support. It demands patience with the sometimes inordinately lengthy consideration of questions by a legislature and its committees. It requires persistence to keep working, sometimes against odds and at others to protect a measure against injurious revisions. Finally, it demands planning and provision for a long campaign which can have a duration of several years.

Lawyers make good lobbyists because their training and temperament promote the development of these qualities. They are trained to marshal difficult, often complex facts and present them in an understandable fashion. They have a deep respect for the law as a social value and a real sense of responsibility to the legislature which enacts the statutory law. They are often skilled in the preparation of bills and can meet objections to constitutionality, phraseology and substance.

And, perhaps as significant as any other reason, lawyers bring integrity and honorable standards to their task. Canon 26, of the Canons of Professional Ethics promulgated by the American Bar Association establishes rigid standards for attorneys who appear as lobbyists. It reads:

"PROFESSIONAL ADVOCACY OTHER THAN BEFORE COURTS

"A lawyer openly, and in his true character, may render professional services before legislative or other bodies, regarding proposed legislation and in advocacy of claims before departments of government, upon the same principles of ethics which justify his appearance before the courts; but it is unprofessional for a lawyer so engaged to conceal his attorneyship, or to employ secret personal solicitations, or to use means other than those addressed to the reason and understanding, to influence action."

Canon 32, in part, reads:

"No client, corporate or individual, however, powerful, nor any cause, civil or political, however important, is entitled to receive nor should any lawyer render any service or advice involving disloyalty to the law whose ministers we are, or disrespect of the judicial office, which we are bound to uphold, or corruption of any person or persons exercising a public office or private trust, or deception or betrayal of the public."

And in its opinions, the Professional Ethics Committee of the American Bar Association has required strict adherence to these standards. For instance, it ruled in December 1959, that a law firm may not accept employment to appear before legislative committees while a member of the firm is serving, even though a full disclosure of the relationship is made, and even though the member serving in the legislature does not share in any fees received thereby (45 American Bar Association Journal 1272, December 1959).

Only one case under the 1946 Lobbying Act has directly involved a lawyer and charges that he was lobbying on behalf of clients without registering. The defendant was found not guilty, however, on the ground that his activity had mainly consisted of preparing statements for witnesses to be given by them before congressional committees, and that such a practice was within the statutory exception excluding from the registration requirement appearances before committees (*U.S.* v *Slaughter*, 89 F. Supp. 205, 876 (D.C.D.C., 1950)).

Because of the particular circumstances surrounding lawyers including adherence to a code of ethics and to high standards as well as the possibility of scrutiny of their actions by bar associations, suggestions have been made in the past that always should be exempted specifically from the provisions of the Lobbying Act—note 15 George Washington Law Review, 455, 459–60 (1947). It is perhaps a point worthy of consideration in any general revision of the act, but the fact that so many lawyers are lobbyists—although not registered—and that such a determination has been challenged as favoritism by other professional groups, have thus far militated against the adoption of the proposal.

Among the most pre-eminent of the organizations engaged in lobbying in its broadest and most honorable sense has been the American Bar Association. In his study on group representation before Congress, for the Brookings Institute in 1929, Edward Pendleton Herring noted—p. 185—that the influence of certain lobbying organizations was dependent entirely upon the value of the advice they had to give. "Their words," he reported, "must be weighted with wisdom rather than the strength of numbers." He concluded that the ABA could well boast of both.

From its earliest days, the association through special as well as standing committees has studied and reported on problems relative to the administration of the law and to other national questions and has made its recommendations available to Congress. From the beginning it followed a policy of printing its proceedings including the reports of its committees in its annual reports and has distributed them to all branches of the Federal Government.

In addition, Federal legislation sought by the association is usually presented directly to Congress or to its appropriate committees, by association committees, and in this regard, it is worthwhile to read "History of the American Bar Association and Its Work," Edson R. Sunderland, 1953. For example; this process was used in the past in seeking legislation for the relief of the Supreme Court, 1888–1890; for a Federal code of procedure, 1888; for an increase in judicial salaries, 1888; for a right of appeal from orders appointing receivers, 1897; for protection of bona fide purchasers of land against revenue tax liens, 1900—Sunderland, supra, page 60.

Often, individual members of the association are requested to appeal to their own Senators and Representatives in Congress—for example, in seeking legislation for relief of the Supreme Court, in 1889.

Sometimes petitions are circulated among members of the association and presented to Congress.

On other occasions, as for instance respecting the Supreme Court relief bill, a direct appeal might be made to the President for endorsement of the proposed legislation in his message to Congress—Sunderland, supra, pages 60–61.

The association was largely responsible for the enactment of the Bankruptcy Act in 1898. For 5 years thereafter one of its committees worked in close cooperation with the chairmen of the committees in both Houses of Congress on amendments, and by 1903 virtually all of the changes suggested by the association had been enacted—Sunderland, supra, page 64.

Other early association activities included work on the Federal court system culminating with the establishment of the U.S. circuit courts of appeal by Congress in the early 1890's; adoption of a form of a maritime bill of lading, enacted by Congress in 1893; restoration of the right of appeal, under habeas corpus, to the Supreme Court; amendments to the patent laws; law reporting and digesting, and a host of other subjects.

From the beginning of the century up through 1935, the association, through its committees, engaged in studies, recommendations, and in some instances bill drafting in a host of fields including administrative law, admiralty and maritime law, air law, radio law, bankruptcy, criminal law, insurance law, judicial procedure, judicial selection and tenure, mineral law, patent, trademark, and copyright law, public utility law, constitutional law and rights of citizens, and taxation.

Since 1936, the association has expanded its committee system and intensified its educational activities. Among its many standing committees today are those on the Bill of Rights, Federal legislation, legal assistance for servicemen, and peace and law through the United Nations. Special committees include atomic energy law, civil rights and racial unrest, code of Federal administrative procedure, committee to cooperate with Cuban lawyers in exile, association program for lawyers in Government, and a special committee to cooperate with the Kefauver investigation of interstate crime in 1950–51. Reports and recommendations have dealt with such subjects as procedures sometimes employed by congressional committees in derogation of the rights of individuals, the evacuation of American citizens of Japanese ancestry from military areas, effectual exercise of the right to the writ of habeas corpus, rights of the mentally ill, and amendment of the Federal rules of procedure.

The association has sponsored or supported such landmark proposals as the Administrative Procedure Act, the Self-Employed Individuals Tax Retirement Act, and the constitutional amendment relating to presidential inability and vice-presidential vacancy. It has participated vigorously in support of a public defender act, legislation clarifying accession to public information, conflict of interest amendments, and relief of court congestion through enlarging the Federal judicial system.

The association's lobbying activities, however, extend far beyond professional evaluation of Federal legislative proopsals. In many respects it is an educational organization encouraging and promoting creative developments in the law. Two of its offshoots are the loci of such efforts. One such is the National Conference of Commissioners on Uniform State Laws which drafts statutes designed to eliminate chaotic divergencies among State laws. The second is the American Law Institute concerned with restatements of law designed to produce order in judge-made law by criticism and collection of the water of conflicting decisions across the Nation.

Perhaps the most important educational function of the association, at least as repects the public at large, is its continuous program of production of materials and information about the Constitution and the meaning and place of law in our system. Law day which is now celebrated throughout the Nation, for instance, is the brainchild of one of the association's past presidents, Mr. Charles S. Rhyne.

Truly, the American Bar Association is one of the country's outstanding lobbying organizations. In working on its committees and participating in its activities, attorneys can assume a role of influence in the highest meaning of the term

The law and lobbying are naturally correlative activities. Despite some of the abuses that have been heaped upon it, the lobbying process is an essential component of American Government. It works successfully on many occasions for numerous reasons not least of all being the fact that those most fully engaged in it are lawyers.

The legislative process as we practice it could not function without lawyers, for they, more than any other group in our society,

fully understand the democratic legislative process and the many requirements incident to the preparation and passage of legislation. Our society is almost totally dependent upon attorneys for the procedural, administrative, constitutional, and technical guidelines within which statutory law functions.

The range of subjects and the variety of organizations on which lawyers are called upon to lobby is legion. They represent commercial and labor interests forcefully and honorably. They appear on behalf of volunteer citizen organizations seeking the passage of a worthwhile bill. They represent individual clients with claims on society's compassion. They speak for their bar associations in attempts to remedy defects in laws revealed by experience or decisions, or to press for some reform with which the legal profession is deeply concerned.

Lobbying is a challenging and rewarding function of the lawyer. It demands a full panoply of skills and talents associated in large part with his experience and training. It involves him in direct participation in the workings of the democratic legislative process. It reaches the heights of satisfaction when a statute, enacted through his efforts, benefits not only his client, but the people of the Nation as well.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business, for the purpose of considering Executive Calendar No. 11, Executive D, 88th Congress.

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

CONSULAR CONVENTION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Executive D, 88th Congress, and that it be laid before the Senate, so that it may become the pending business.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of Executive D, 88th Congress on the executive calendar.

The Senate, as in Committee of the Whole, proceeded to consider Executive D, 88th Congress, the Consular Convention with the U.S.S.R., which was read the second time, as follows:

CONSULAR CONVENTION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS

The Government of the United States of America and the Government of the Union of Soviet Socialist Republics,

Desiring to cooperate in strengthening friendly relations and to regulate consular relations between both states,

Have decided to conclude a consular convention and for this purpose have agreed on the following:

DEFINITIONS

Article 1

For the purpose of the present Convention, the terms introduced hereunder have the following meaning:

(1) "Consular establishment"—means any consulate general, consulate, vice consulate or consular agency;

(2) "Consular district"—means the area assigned to a consular establishment for the exercise of consular functions;

(3) "Head of consular establishment"—means a consul general, consul, vice consul, or consular agent directing the consular establishment;

(4) "Consular officer"—means any person, including the head of the consular establishment, entrusted with the exercise of consular functions. Also included in the definition of "consular officer" are persons assigned to the consular establishment for training in the consular service.

(5) "Employee of the consular establishment"—means any person performing administrative, technical, or service functions in a consular establishment.

OPENING OF CONSULAR ESTABLISHMENTS, APPOINTMENT OF CONSULAR OFFICERS AND EMPLOYEES

Article 2

1. A consular establishment may be opened in the territory of the receiving state only with that state's consent.

2. The location of a consular establishment and the limits of its consular district will be determined by agreement between the sending and receiving states.

3. Prior to the appointment of a head of a consular establishment, the sending state shall obtain the approval of the receiving state to such an appointment through diplomatic channels.

4. The diplomatic mission of the sending state shall transmit to the foreign affairs ministry of the receiving state a consular commission which shall contain the full name of the head of the consular establishment, his citizenship, his class, the consular district assigned to him, and the seat of the consular establishment.

5. A head of a consular establishment may enter upon the exercise of his duties only after having been recognized in this capacity by the receiving state. Such recognition after the presentation of the commission shall be in the form of a exequatur or in another form and shall be free of charge.

6. The full name, function and class of all consular officers other than the head of a consular establishment, and the full name and function of employees of the consular establishment shall be notified in advance by the sending state to the receiving state.

The receiving state shall issue to each consular officer an appropriate document confirming his right to carry out consular functions in the territory of the receiving state.

7. The receiving state may at any time, and without having to explain its decision, notify the sending state through diplomatic channels that any consular officer is persona non grata or that any employee of the consular establishment is unacceptable. In such a case the sending state shall accordingly recall such officer or employee of the consular establishment. If the sending state refuses or fails within a reasonable time to carry out its obligations under the present paragraph, the receiving state may refuse to recognize the officer or employee concerned as a member of the consular establishment.

8. With the exception of members of the staff of the diplomatic mission of the sending state, as defined in paragraph (c) of Article 1 of the Vienna Convention on Diplomatic Relations, no national of the sending state already present in the receiving state or in transit thereto may be appointed as a consular officer or employee of the consular establishment.

Article 3

Consular officers may be nationals only of the sending state.

Article 4

The receiving state shall take the necessary measures in order that a consular officer may carry out his duties and enjoy the rights, privileges, and immunities provided for in the present Convention and by the laws of the receiving state.

Article 5

1. The receiving state shall either facilitate the acquisition on its territory, in accordance with its laws and regulations, by the sending state of premises necessary for its consular establishment or assist the latter in obtaining accommodation in some other way.

2. It shall also, where necessary, assist the sending state in obtaining suitable accommodation for the personnel of its consular establishment.

Article 6

1. If the head of the consular establishment cannot carry out his functions or if the position of head of a consular establishment is vacant, the sending state may empower a consular officer of the same or another consular establishment, or one of the members of the diplomatic staff of its diplomatic mission in the receiving state, to act temporarily as head of the consular establishment. The full name of this person must be transmitted in advance to the foreign affairs ministry of the receiving state.

2. A person empowered to act as temporary head of the consular establishment shall enjoy the rights, privileges and immunities of the head of the consular establishment.

3. When, in accordance with the provisions of paragraph 1 of the present Article, a member of the diplomatic staff of the diplomatic mission of the sending state in the receiving state is designated by the sending state as an acting head of the consular establishment, he shall continue to enjoy diplomatic privileges and immunities.

CONSULAR FUNCTIONS

Article 7

A consular officer shall be entitled within his consular district to perform the following functions, and for this purpose may apply orally or in writing to the competent authorities of the consular district:

(1) To protect the rights and interests of the sending state and its nationals, both individuals and bodies corporate;

(2) To further the development of commercial, economic, cultural and scientific relations between the sending state and the receiving state and otherwise promote the development of friendly relations between them;

(3) To register nationals of the sending state, to issue or amend passports and other certificates of identity, and also to issue entry, exit, and transit visas;

(4) To draw up and record certificates of birth and death of citizens of the sending state taking place in the receiving state, to record marriages and divorces, if both persons entering into marriage or divorce are citizens of the sending state, and also to receive such declarations pertaining to family relationships of a national of the sending state as may be required under the law of the sending state, unless prohibited by the laws of the receiving state;

(5) To draw up, certify, attest, authenticate, legalize and take other actions which might be necessary to validate any act or document of a legal character, as well as copies thereof, including commercial documents, declarations, registrations, testamentary dispositions, and contracts, upon the application of a national of the sending state, when such document is intended for use outside the territory of the receiving state, and also for any person, when such document is intended for use in the territory of the sending state;

(6) To translate any acts and documents into the English and Russian languages and to certify to the accuracy of the translations;

(7) To perform other official consular functions entrusted to him by the sending state if they are not contrary to the laws of the receiving state.

Article 8

1. The acts and documents specified in paragraph 5 of Article 7 of the present Convention which are drawn up or certified by the consular officer with his official seal affixed, as well as copies, extracts, and translations of such acts and documents certified by him with his official seal affixed, shall be receivable in evidence in the receiving state as official or officially certified acts, documents, copies, translations, or extracts, and shall have the same force and effect as though they were drawn up or certified by the competent authorities or officials of the receiving state; provided that such documents shall have been drawn and executed in conformity with the laws and regulations of the country where they are designed to take effect.

2. The acts, documents, copies, translations, or extracts, enumerated in paragraph 1 of the present Article shall be authenticated if required by the laws of the receiving state when they are presented to the authorities of the receiving state.

Article 9

If the relevant information is available to the competent authorities of the receiving state, such authorities shall inform the consular establishment of the death of a national of the sending state.

Article 10

1. In the case of the death of a national of the sending state in the territory of the receiving state, without leaving in the territory of his decease any known heir or testamentary executor, the appropriate local authorities of the receiving state shall as promptly as possible inform a consular officer of the sending state.

2. A consular officer of the sending state may, within the discretion of the appropriate judicial authorities and if permissible under then existing applicable local law in the receiving state:

(a) take provisional custody of the personal property left by a deceased national of the sending state, provided that the decedent shall have left in the receiving state no heir or testamentary executor appointed by the decedent to take care of his personal estate; provided that such provisional custody shall be relinquished to a duly appointed administrator;

(b) administer the estate of a deceased national of the sending state who is not a resident of the receiving state at the time of his death, who leaves no testamentary executor, and who leaves in the receiving state no heir, provided that if authorized to administer the estate, the consular officer shall relinquish such administration upon the appointment of another administrator;

(c) represent the interests of a national of the sending state in an estate in the receiving state, provided that such national is not a resident of the receiving state, unless or until such national is otherwise represented: provided, however, that nothing herein shall authorize a consular officer to act as an attorney at law.

3. Unless prohibited by law, a consular officer may, within the discretion of the court, agency, or person making distribution, receive for transmission to a national of the sending state who is not a resident of the receiving state any money or property to which such national is entitled as a consequence of the death of another person, including shares in an estate, payments made pursuant to workmen's compensation laws, pension and social benefits systems in general, and proceeds of insurance policies.

The court, agency, or person making distribution may require that a consular officer comply with conditions laid down with regard to: (a) presenting a power of attorney or other authorization from such nonresident national, (b) furnishing reasonable evidence of the receipt of such money or property by such national, and (c) returning the money or property in the event he is unable to furnish such evidence.

4. Whenever a consular officer shall perform the functions referred to in paragraphs 2 and 3 of this Article, he shall be subject, with respect to the exercise of such functions, to the laws of the receiving state and to the civil jurisdiction of the judicial and administrative authorities of the receiving state in the same manner and to the same extent as a national of the receiving state.

Article 11

A consular officer may recommend to the courts or to other competent authorities of the receiving state appropriate persons to act in the capacity of guardians or trustees for citizens of the sending state or for the property of such citizens when this property is left without supervision.

In the event that the court or competent authorities consider that the recommended candidate is for some reason unacceptable, the consular officer may propose a new candidate.

Article 12

1. A consular officer shall have the right within his district to meet with, communicate with, assist, and advise any national of the sending state and, where necessary, arrange for legal assistance for him. The receiving state shall in no way restrict the access of nationals of the sending state to its consular establishments.

2. The appropriate authorities of the receiving state shall immediately inform a consular officer of the sending state about the arrest or detention in other form of a national of the sending state.

3. A consular officer of the sending state shall have the right without delay to visit and communicate with a national of the sending state who is under arrest or otherwise detained in custody or is serving a sentence of imprisonment. The rights referred to in this paragraph shall be exercised in conformity with the laws and regulations of the receiving state, subject to the proviso, however, that the said laws and regulations must not nullify these rights.

Article 13

1. A consular officer may provide aid and assistance to vessels sailing under the flag of the sending state which have entered a port in his consular district.

2. Without prejudice to the powers of the receiving state, a consular officer may conduct investigations into any incidents which occurred during the voyage on vessels sailing under the flag of the sending state, and may settle disputes of any kind between the master, the officers and the seamen insofar as this may be authorized by the laws of the sending state. A consular officer may request the assistance of the competent authorities of the receiving state in the performance of such duties.

3. In the event that the courts or other competent authorities of the receiving state intend to take any coercive action on vessels sailing under the flag of the sending state while they are located in the waters of the receiving state, the competent authorities of the receiving state shall, unless it is impractical to do so in view of the urgency of the matter, inform a consular officer of the sending state prior to initiating such actions so that the consular officer may be present when the action is taken. Whenever it is impractical to notify a consular officer in advance, the competent authorities of the receiving state shall inform him as soon as possible thereafter of the action taken.

4. Paragraph 3 of this Article shall not apply to customs, passport, and sanitary inspections, or to action taken at the request or with the approval of the master of the vessel.

5. The term "vessel", as used in the present Convention, does not include warships.

Article 14

If a vessel sailing under the flag of the sending state suffers shipwreck, runs aground, is swept ashore, or suffers any other accident whatever within the territorial limits of the receiving state, the competent authorities of the receiving state shall immediately inform a consular officer and advise him of the measures which they have taken to rescue persons, vessel, and cargo.

The consular officer may provide all kinds of assistance to such a vessel, the members of its crew, and its passengers, as well as take measures in connection with the preservation of the cargo and repair of the ship, or he may request the authorities of the receiving state to take such measures.

The competent authorities of the receiving state shall render the necessary assistance to the consular officer in measures taken by him in connection with the accident to the vessel.

No customs duties shall be levied against a wrecked vessel, its cargo or stores, in the territory of the receiving state, unless they are delivered for use in that state.

If the owner or anyone authorized to act for him is unable to make necessary arrangements in connection with the vessel or its cargo, the consular officer may make such arrangements. The consular officer may under similar circumstances make arrangements in connection with cargo owned by the sending state or any of its nationals and found or brought into port from a wrecked vessel sailing under the flag of any state except a vessel of the receiving state.

Article 15

Articles 13 and 14, respectively, shall also apply to aircraft.

RIGHTS, PRIVILEGES AND IMMUNITIES

Article 16

The national flag, of the sending state and the consular flag may be flown at the consular establishment, at the residence of the head of the consular establishment, and on his means of transport used by him in the performance of his official duties. The shield with the national coat-of-arms of the sending state and the name of the establishment may also be affixed on the building in which the consular establishment is located.

Article 17

The consular archives shall be inviolable at all times and wherever they may be. Unofficial papers shall not be kept in the consular archives.

The buildings or parts of buildings and the land ancillary thereto, used for the purposes of the consular establishment and the residence of the head of the consular establishment, shall be inviolable.

The police and other authorities of the receiving state may not enter the building or that part of the building which is used for the purposes of the consular establishment or the residence of the head of the consular establishment without the consent of the head thereof, persons appointed by him, or the head of the diplomatic mission of the sending state.

Article 18

1. The consular establishment shall have the right to communicate with its Government, with the diplomatic mission and the consular establishments of the sending state in the receiving state, or with other diplomatic missions and consular establishments of the sending state, making use of all ordinary means of communication. In such communications, the consular establishment shall have the right to use code, diplomatic couriers, and the diplomatic pouch. The same fees shall apply to consular establishments in the use of ordinary means of communication as apply to the diplomatic mission of the sending state.

2. The official correspondence of a consular establishment, regardless of what

means of communication are used, and the sealed diplomatic pouch bearing visible external marks of its official character, shall be inviolable and not subject to examination or detention by the authorities of the receiving state.

Article 19

1. Consular officers shall not be subject to the jurisdiction of the receiving state in matters relating to their official activity. The same applies to employees of the consular establishment, if they are nationals of the sending state.

2. Consular officers and employees of the consular establishment who are nationals of the sending state shall enjoy immunity from the criminal jurisdiction of the receiving state.

3. This immunity from the criminal jurisdiction of the receiving state of consular officers and employees of the consular establishment of the sending state may be waived by the sending state. Waiver must always be express.

Article 20

1. Consular officers and employees of the consular establishment, on the invitation of a court of the receiving state, shall appear in court for witness testimony. Taking measures to compel a consular officer or an employee of the consular establishment who is a national of the sending state to appear in court as a witness and to give witness testimony is not permissible.

2. If a consular officer or an employee of the consular establishment who is a national of the sending state for official reasons or for reasons considered valid according to the laws of the receiving state cannot appear in court, he shall inform the court thereof and give witness testimony on the premises of the consular establishment or in his own abode.

3. Whenever under the laws of the receiving state an oath is required to be taken in court by consular officers and employees of the consular establishment, an affirmation shall be accepted in lieu thereof.

4. Consular officers and employees of the consular establishment may refuse to give witness testimony on facts relating to their official activity.

5. The provisions of paragraphs 1, 2, 3, and 4 shall also apply to the proceedings conducted by administrative authorities.

Article 21

1. Immovable property, situated in the territory of the receiving state, of which the sending state or one or more persons acting in its behalf is the owner or lessee and which is used for diplomatic or consular purposes, including residences for personnel attached to the diplomatic and consular establishments, shall be exempt from taxation of any kind imposed by the receiving state or any of its states or local governments other than such as represent payments for specific services rendered.

2. The exemption from taxation referred to in paragraph 1 of this Article shall not apply to such charges, duties, and taxes if, under the law of the receiving state, they are payable by the person who contracted with the sending state or with the person acting on its behalf.

Article 22

A consular officer or employee of a consular establishment, who is not a national of the receiving state and who does not have the status in the receiving state of an alien lawfully admitted for permanent residence, shall be exempt from the payment of all taxes or similar charges of any kind imposed by the receiving state or any of its states or local governments on official emoluments, salaries, wages, or allowances received by such officer or employee from the sending state in connection with the discharge of his official functions.

Article 23

1. A consular officer or employee of a consular establishment who is not a national of the receiving state and who does not have the status in the receiving state of an alien lawfully admitted for permanent residence, shall, except as provided in paragraph 2 of this Article, be exempt from the payment of all taxes or similar charges of any kind imposed by the receiving state or any of its states or local governments, for the payment of which the officer or employee of the consular establishment would otherwise be legally liable.

2. The exemption from taxes or charges provided in paragraph 1 of this Article does not apply in respect to taxes or charges upon:

(a) The acquisition or possession of private immovable property located in the receiving state if the persons referred to in paragraph 1 of this Article do not own or lease this property on the behalf of the sending state for the purposes of the consular establishment;

(b) Income received from sources in the receiving state other than as described in Article 22 of the present Convention;

(c) The transfer by gift of property in the receiving state;

(d) The transfer at death, including by inheritance, of property in the receiving state.

3. However, the exemption from taxes or similar charges provided in paragraph 1 of this Article, applies in respect to movable inherited property left after the death of a consular officer or employee of the consular establishment or a member of his family residing with him if they are not nationals of the receiving state or aliens lawfully admitted for permanent residence, and if the property was located in the receiving state exclusively in connection with the sojourn in this state of the deceased as a consular officer or employee of the consular establishment or member of his family residing with him.

Article 24

A consular officer or employee of a consular establishment and members of his family residing with him who are not nationals of the receiving state and who do not have the status in the receiving state of aliens lawfully admitted for permanent residence, shall be exempt in the receiving state from service in the armed forces and from all other types of compulsory service.

Article 25

A consular officer or employee of a consular establishment and members of his family residing with him who do not have the status in the receiving state of aliens lawfully admitted for permanent residence, shall be exempt from all obligations under the laws and regulations of the receiving state with regard to the registration of aliens, and obtaining permission to reside, and from compliance with other similar requirements applicable to aliens.

Article 26

1. The same full exemption from customs duties and internal revenue or other taxes imposed upon or by reason of importation shall apply in the receiving state to all articles, including motor vehicles, imported exclusively for the official use of a consular establishment, as applies to articles imported for the official use of the diplomatic mission of the sending state.

2. Consular officers, and employees of the consular establishment, and members of their families residing with them, who are not nationals of the receiving state, and who do not have the status in the receiving state of aliens lawfully admitted for permanent residence, shall be granted, on the basis of reciprocity, the same exemptions from customs duties and internal revenue or other taxes imposed upon or by reason of importation, as are granted to corresponding personnel of the diplomatic mission of the sending state.

3. For the purpose of paragraph 2 of this Article the term "corresponding personnel of the diplomatic mission" refers to members of the diplomatic staff in the case of consular officers, and to members of the administrative and technical staff in the case of employees of a consular establishment.

Article 27

Subject to the laws and regulations of the receiving state concerning zones entry into which is prohibited or regulated for reasons of national security, a consular officer shall be permitted to travel freely within the limits of his consular district to carry out his official duties.

Article 28

Without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the receiving state, including traffic regulations.

Article 29

1. The rights and obligations of consular officers provided for in the present Convention also apply to members of the diplomatic staff of the diplomatic mission of the Contracting Parties charged with the performance of consular functions in the diplomatic mission and who have been notified in a consular capacity to the foreign affairs ministry of the receiving state by the diplomatic mission.

2. Except as provided in paragraph 4 of Article 10 of the present Convention, the performance of consular functions by the persons referred to in paragraph 1 of this Article shall not affect the diplomatic privileges and immunities granted to them as members of the diplomatic mission.

FINAL PROVISIONS

Article 30

1. The present Convention shall be subject to ratification and shall enter into force on the thirtieth day following the exchange of instruments of ratification, which shall take place in Washington as soon as possible.

2. The Convention shall remain in force until six months from the date on which one of the Contracting Parties informs the other Contracting Party of its desire to terminate its validity.

In witness whereof the Plenipotentiaries of the two Contracting Parties have signed the present Convention and affixed their seals thereto.

Done in Moscow on June 1, 1964 in two copies, each in the English and the Russian language, both texts being equally authentic.

For the Government of the United States of America:

FOY D. KOHLER,
Ambassador of the United States of America to the U.S.S.R.

For the Government of the Union of Soviet Socialist Republics:

A. GROMYKO,
Minister for Foreign Affairs of the Union of Soviet Socialist Republics

PROTOCOL TO THE CONSULAR CONVENTION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS

1. It is agreed between the Contracting Parties that the notification of a consular officer of the arrest or detention in other form of a national of the sending state specified in paragraph 2 of Article 12 of the Consular Convention between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics of June 1, 1964, shall take place within one to three days from the time of arrest or detention depending on conditions of communication.

2. It is agreed between the Contracting Parties that the rights specified in paragraph 3 of Article 12 of the Consular Con-

vention of a consular officer to visit and communicate with a national of the sending state who is under arrest or otherwise detained in custody shall be accorded within two to four days of the arrest or detention of such national depending upon his location.

3. It is agreed between the Contracting Parties that the rights specified in paragraph 3 of Article 12 of the Consular Convention of a Consular officer to visit and communicate with a national of the sending state who is under arrest or otherwise detained in custody or is serving a sentence of imprisonment shall be accorded on a continuing basis.

The present Protocol constitutes an integral part of the Consular Convention between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics of June 1, 1964.

Done at Moscow on June 1, 1964 in two copies, each in the English and the Russian language, both texts being equally authentic.

For the Government of the United States of America:

FOY D. KOHLER,
Ambassador of the United States of America to the U.S.S.R.

For the Government of the Union of Soviet Socialist Republics:

A. GROMYKO,
Minister for Foreign Affairs of the Union of Soviet Socialist Republics

Mr. PEARSON. Mr. President, whether or not the Senate should ratify the proposed Consular Convention between the United States and the Soviet Union is a most important and at the same time one of the most delicate, questions before the 90th Congress. It is also one of the most emotionally charged issues, as the constituent mail of each Senator dramatically illustrates; legitimate concerns have been magnified and distorted, while all too often very little light has been shed on the real issues.

The treaty simply provides a basic legal framework for the exchange of Consulates between the United States and the Soviet Union and details the rules and regulations governing the conduct of consular officials and their diplomatic status. This document, signed in 1964 and approved by the Senate Foreign Relations Committee in 1965 and again in February of this year, represents an attempt to formalize what is ordinarily a routine bilateral exchange of officials.

In this case, however, Mr. President, neither the provisions of the treaty nor the circumstances surrounding its ratification are routine. This is the first bilateral treaty we have ever made with the Soviet Union, our adversary in the costly and trying cold war of two long decades. And unfamiliarity not only breeds contempt, but caution.

In addition, we are engaged in a bloody war against Communist aggression in southeast Asia. Secret agents menace the internal fabric of our society, while ideological invective poisons the international airwaves.

Thus one can understand the great concern and even alarm being expressed over this treaty's pending ratification. But emotion is the wind which blow out the lamp of reason. We must understand the former, but we must be guided by the latter.

Mr. President, many individuals have expressed genuine dismay over the treaty provision granting full diplomatic immunity from criminal prosecution to the consular staffs of both countries. They consider this proviso a dangerous Carte Blanche for Soviet espionage and cite the concern expressed by FBI Director J. Edgar Hoover when he testified before the House Foreign Affairs Committee 2 years ago. Mr. Hoover noted that the treaty "will make our work more difficult," if it permits the Soviet Union to establish consulates "in many parts of the country."

The point is also made, Mr. President, that the United States has consular conventions with many other countries, none of which includes a provision granting full immunity from criminal prosecution to consular staffs. The question is then asked: "Why include such a provision in a treaty with the Soviet Union?"

Mr. President, what are the risks involved in granting Soviet consular officials diplomatic immunity? The question cannot be answered with exact preciseness, but a calm examination suggests that the risks are few.

As the treaty neither authorizes the opening of consulates nor specifies their number, Senate ratification will not automatically result in the establishment of a large number of Soviet consulates. The treaty merely provides the legal framework for their operation if and when they are established.

The number and location of consulates will be established by negotiation after the treaty is ratified. At present, no such negotiations are being conducted. When they are held, Congress will, of course, be kept fully informed. The administration has further stated that for the foreseeable future no more than the opening of one consulate in each country is envisioned.

Mr. President, that the Communists are most vigorous and adept at employing their diplomatic posts for espionage activities is beyond dispute. That they will attempt to utilize their consular offices in a like manner is also to be expected. However, when only 10 or 15 officials are added to the 452 Soviets with full diplomatic immunity now in the United States, the small scale of the threat is readily apparent. Indeed, as Mr. Hoover himself said on this point just a few weeks ago:

> The F.B.I. can definitely handle any additional responsibilities brought about by approval of the treaty. . . . The (extra) expenditure in funds . . . could be absorbed within our current appropriation.

But even those who recognize the limited scope of the immediate problem are concerned about its portent for the future. Using this treaty as a precedent, will the 27 other countries with whom American has consular treaties press for similar provisions?

The answer, Mr. President, is not likely." The administration estimates at most only 11 would do so. Thus, just 290 employees, only a fraction of whom are Communist, would be added to the 9,400 persons with diplomatic immunity in the United States.

One must also bear in mind that it is often much easier to scrutinize the activities of political agents who enter the country as registered representatives of a foreign government than when they enter clandestinely.

In addition, the convention contains a number of safeguards against the danger of diplomatic subversion. For example, a state may expel consular officials for their misdeeds and may scrutinize in advance all consular appointments. As a final safeguard, the treaty may be terminated on 6 months' notice by either party if it does not function to their satisfaction.

Mr. President, we must also remember that the treaty provisions cut both ways. Given the closed character of Russian society, the United States stands to gain far more information from consular surveillance than does the Soviet Union. Our sources of information within Russia are limited and the more "windows" that can be opened to shed light on the convoluted operations of the Soviet Government the better.

Finally, and possibly most importantly, Mr. President, this speaker is of the view that we all too often inflate the threat of Soviet operatives, while minimizing the capacity of our people and our institutions to resist their intrigues. Is the fabric of this free and open society so delicate, so weak that it will be seriously endangered by the introduction of a few score of new Soviet citizens?

Mr. President, the potential for increased espionage is the most emotionally charged question, but by far the most important questions concern the broad implications this treaty has for United States-Soviet relations. In this respect, it is the timing of this treaty which generates honest disagreement among reasonable and informed men.

The point is made that the United States should refrain from making any conciliatory gestures toward the Soviets while the Vietnam war is in progress. The U.S.S.R. continues to oppose American aims in southeast Asia. It endeavors to mobilize world opinion against us and continues to send massive infusions of military aid to our enemies. Why should we add further respectability to a regime which labels us "worldwide public enemy No. 1" and supplies the guns and rockets which daily drain the blood of American youth?

The question is a valid one. For, while the Communists may be divided on ideological issues, they are united in varying degrees in their opposition to Western democracy. There is no indication that the ratification of this treaty will cause the Soviets to cease their ideological vilification of the United States or halt the flow of war material to North Vietnam.

However, Mr. President, Soviet differences with the United States do not mitigate against the ratification of this treaty. Rather, they impel it. This convention can become a symbol, albeit a rather minor one, of the willingness of the two countries to divorce emotion and ideological differences from basic compatible interests. For, the consular treaty is not so much a gesture of conciliation, as it is an agreement that the mutual interests of both parties will be furthered by the establishment of missions designed to serve nondiplomatic interests.

Make no mistake about it, it is the U.S. private citizen and businessman who would benefit most from the facili-

ties offered by the consulates. The most important proviso of the treaty, in my opinion, guarantees that a consulate will be notified within 1 to 3 days after a foreign national is arrested. Furthermore, consular officials will be guaranteed access to detained Americans within 2 to 4 days of their arrest, and this right of access will continue as long as they are held.

Mr. President, this all-important provision, representing an unprecedented concession by the Soviet Union, goes into effect once the treaty is ratified whether or not consular offices are ever established by later negotiation.

This concession appears all the more remarkable when one pauses to consider past Soviet behavior. In 1961, American student Marvin Makinen was held from July 21 to September 4 before the U.S. Embassy was even notified of his detention. In a more famous case, U–2 pilot Gary Powers was held incommunicado by the Soviets for 21 months.

Postwar history is replete with similar examples. The provisions for notification and access contained in this treaty will significantly improve the prospects for decent treatment of U.S. citizens arrested in the Soviet Union. Not only would such a development be welcome for humane reasons, but by subjecting detentions to closer American scrutiny, the ability of the Soviets to use them as instruments of international propaganda could be reduced.

In addition, consulates offer services which range from processing birth certificates to the translation of legal documents. These arrangements would greatly ease the lot of Americans trying to fend for themselves in a foreign land.

Thus, consular offices should not be considered as significant diplomatic concessions, but as devices for regularizing unofficial relations. In this particular case, Mr. President, if one country stands to benefit more than the other, it is the United States. We simply have far more tourists and businessmen to serve, and their number is growing each year. Approximately 18,000 Americans visit the Soviet Union for unofficial purposes as opposed to the 1,400 Russians who come to this country.

Mr. President, also in regard to the question of timing, some wise and careful men have urged that ratification be delayed while the interrelationship of this treaty to others which may soon be put before this body is thoroughly examined. In particular, the Treaty on the Peaceful Uses of Outer Space and the East-West trade bill are cited as examples of more ambitious efforts by the administration to significantly alter U.S. foreign policy.

Mr. President, this speaker does not advocate a rapid expansion of our trade with the Communist bloc, particularly when they are supplying our enemies in Vietnam. Neither would I support a relaxing of the safeguards so essential to the maintenance of our long-term security interests. However, Mr. President, this Senator is persuaded that the consular treaty does not presage such dangerous developments. The space and trade agreements, while affecting our overall relations with the Communist bloc, treat completely different subjects.

The Consular Treaty will create no irresistible momentum leading to the hasty adoption of these other items. They will be carefully considered on their individual merits. Let us not forget that the amount of trade a consulate handles is not determined by the consulate, but by our Government. Thus, those who feel ratification will in itself lead to an expansion of trade are mistaken in my view.

It is wise to be cautious and a full examination of administration policy is the Senate's eternal duty; but as the poet Matthew Arnold said:

> (Those) . . . who hesitate and falter life away . . . lose tomorrow the ground won today.

World powers, therefore, by definition have a variety of commitments and concerns. It would be futile and self-defeating to treat all foreign policy issues alike. The Communist camp today is torn by controversy. The opportunities for initiatives are many.

The Consular Convention is just one such opportunity. This treaty alone will not eliminate the differences which separate the Soviet Union and the United States, but it will bring more understanding to them. It will not eliminate the political harassment of U.S. citizens, but it will reduce it. Its passage represents a risk, but the risk is manageable.

In short, the treaty is neither a panacea nor an unconscionable gamble. It is simply a small step toward increased protection of American citizens abroad and the improvement of relations between the world's two superpowers.

Mr. FULBRIGHT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FULBRIGHT. The pending business is in the Consular Treaty?

The PRESIDING OFFICER. The Senator is correct.

Mr. FULBRIGHT. Mr. President, I wish to say a few words about the treaty. I hope that tomorrow or the next day the Senate will adopt the treaty.

Last October, President Johnson spoke in New York on the subject of our relations with Europe. He defined America's task in its relations with the European Communist world as achieving "a reconciliation with the East," and he then said:

> Americans are prepared to do their part. Under the last four Presidents our policy toward the Soviet Union has been the same. Where necessary, we shall defend freedom; where possible we shall work with the East to build a lasting peace.
>
> We do not intend to let our differences on Viet Nam or elsewhere prevent us from exploring all opportunities. We want the Soviet Union and the nations of Eastern Europe to know that we and our allies shall go step by step with them as far as they are willing to advance.

I emphasize the words "step by step" with the Soviet Union "as far as they are willing to advance," for in considering whether to give our advice and consent to ratification of the consular convention we are considering whether to take a step with the Soviet Union, a modest, cautious step, but a step in the direction of reconciliation and not away from it. Will we, as a result of our debate in the Senate, take this step? Or will we stand still and thus admit that we are unwilling or unable to affect the future course of our relations with the Soviet Union?

Now, consular conventions are not usually politically significant. We have consular conventions with over 30 countries, and treaties and other agreements containing consular provisions with over 30 other states. We have such conventions, treaties, and agreements with allies, with neutrals and with countries with whom our relations are not particularly good, with Communist countries and non-Communist countries of every existent variety.

This convention is different, however, not because its provisions are unique or significant but because it is an agreement with the other immensely powerful state in the world today, a state with whom our relations are most sensitive and difficult, a state with whom our relations are of transcendental importance.

I would have preferred to address my remarks today only to the broad issue of our relations with this other great power and not to deal with the narrow subject of the technical provisions of the convention we are considering. But because there has been a good deal of discussion in the country of these provisions, and because I believe that there is considerable misunderstanding about them, I will begin by attempting to clarify what the treaty does and what it does not do.

The consular convention does not provide for opening consulates. There have been Soviet consulates in the United States and American consulates in the Soviet Union before. Consulates could be established again any time without a treaty merely by agreement between the two Governments. Nor does the treaty provide for increasing trade with the Soviet Union or amend in any way the body of legislation designed to prohibit the export of strategic materials to the Communist world. The various laws dealing with this subject remain untouched.

All the treaty does is regulate consular relations between the United States and the Soviet Union. Consular relations are best regulated by treaty; for a treaty, as you know, becomes the supreme law of the land and supersedes inconsistent Federal and State laws. To regulate the myriad consular affairs between our country and another, it is necessary to supersede State laws with regard to various tax matters, in order to fulfill an obligation to notify a foreign government official when an arrest is made and to grant officials of other governments immunity from local laws.

I will not discuss the minor points in the convention, which are no different in this treaty than in the other consular conventions we have, but will concentrate on the two questions that have attracted attention: the provisions regarding notification and access and those pertaining to consular immunity.

The consular convention we are considering today provides that when an

American citizen is arrested in the Soviet Union, the Soviets are obliged to notify an American consular officer of his detention within 1 to 3 days. The provisions in the convention regarding access oblige the Soviets to permit an American consular officer to have access to an arrested American citizen within 2 to 4 days. These provisions regarding notification and access, as all the other provisions in the convention, are of course reciprocal. They seem to me to be more beneficial to us than to the Soviets, however, for there are 20 times as many Americans visiting the Soviet Union as there are Soviets visiting the United States; and, furthermore, we already observe the standards of notification and access that this treaty will oblige the Soviets to observe. I should add that these notification and access provisions will become operative, and thus binding on the Soviets, as soon as the convention enters into force whether or not consulates are ever opened.

Those who are opposed to ratification of this convention argue that notification and access do not amount to freedom, and that these notifications and access provisions are of small benefit indeed. Perhaps these provisions do produce only minor benefits—although certainly an American arrested in the Soviet Union would not consider them to be so minor—but they oblige the Soviet Government to act in a way in which they have never been willing to agree to act before, and in a way that we consider desirable and advantageous to us.

By agreeing to these notification and access provisions, the Soviets have made a concession. Some belittle this concession, saying that the Soviets should go further and make more far-reaching changes in their trial procedures. But a consular convention is not a vehicle for effecting changes in a society. It is an agreement designed to regulate the consular affairs of the countries concerned, protect their citizens, and provide ground rules for their consular personnel. This convention goes further than any other modern convention in the protections afforded American citizens and American consular officers and employees. Are we going to refuse to accept these benefits—benefits we wanted, which led us to propose negotiations on the treaty in the first place, and benefits which represent a concession by the Soviets—because we disapprove of certain aspects of Soviet society? We have not applied this standard to other countries. It seems to me unreasonable and unproductible to attempt to do so in this case.

The other matter that has aroused a great deal of attention is the grant of unrestricted immunity from criminal jurisdiction to consular officers and employees. This provision is a new departure for the United States. In other consular conventions to which the United States is a party, such immunity has applied only to misdemeanors and not to felonies. On the other hand, so far as diplomatic immunity is concerned, nations observe an even broader immunity which extends not only to criminal jurisdiction but to civil jurisdiction as well and also applies to the families of diplomatic officers. Our diplomats in the Soviet Union and indeed all over the world, have such immunity, as do all foreign diplomats including Soviet diplomats here.

In other words, this convention brings the protection—which those working in consulates enjoy—more closely into line with the protection those working in embassies have, reflecting a universal erosion over the past few decades of the distinctions between diplomatic and consular officers. In our case, it seems to me particularly appropriate that we do not emphasize such distinctions, while others disavow them, because our diplomatic and consular services were combined over 35 years ago. As a result, an American Foreign Service officer may be assigned this year to an embassy and next year to a consulate. Why should he enjoy the protection of unrestricted immunity from the criminal jurisdiction of the Soviet Union while assigned to our embassy in Moscow but have only restricted immunity from criminal jurisdiction when assigned to a consulate outside the capital?

But those who are concerned about the immunity provision in this convention are not interested in the disappearing distinctions between diplomatic and consular immunities. Their interest in the immunity provision is a result of their fear of espionage. They see a danger in the immunity provision; because if a Soviet intelligence officer assigned to a Soviet consulate in the United States were to commit espionage, he could not be prosecuted, but, like any Soviet official assigned to the Soviet Embassy in Washington who committed espionage, only be expelled.

Now, it is a fact of life, an unpleasant fact, to be sure, that all of those assigned to foreign embassies and consulates in the United States and all of the Americans assigned to our embassies and consulates abroad are not what they appear to be. Some are not career diplomatic and consular personnel but intelligence officers. The Soviets use embassies and consulates for intelligence purposes as do other countries, including the United States. Perhaps in a gentler age this may not have been true, but it is the case in the world today. In this sense, there is a common interest involved, for I gather that both we and the Soviets would prefer to have our intelligence officers expelled rather than imprisoned.

It would be one thing if we were opening the floodgates to massive numbers of Soviet intelligence agents by ratifying this convention. But we are talking about only one Soviet consulate at this point, with 10 to 15 officers and employees, and one American consulate of an equal size in the Soviet Union. There are already in the United States 452 Soviet nationals with full diplomatic immunity, so that involved is an increase of 3 percent in the number of Soviet officials with full criminal immunity.

Because we have most-favored-nation clauses in consular agreements with 35 other countries, these countries will also be entitled to request a similar extension of consular immunity, provided they are willing to grant us such immunity in return. Of these 35 countries, 27 now have consular establishments in the United States, and these consular establishments have 577 consular officers and employees who would be qualified for such immunity. The fact is, however, that the Department of State has estimated that only 11 countries, with 290 officers and employees in the United States, will ask for such immunity. We will thus add perhaps some 300 persons to the 9,400 foreign diplomatic officers and employees now in the United States who already enjoy full criminal immunity—a total increase of about 3 percent.

Those who criticize this immunity provision point out that granting full criminal immunity to consular officers and employees was originally a Soviet suggestion. The implication, therefore, is that the immunity provision must work to the advantage of the Soviets and to the disadvantage of the United States. In fact, upon considering the Soviet proposal, the Department of State decided that the immunity provision suggested by the Soviets was desirable from the point of view of the United States. Presumably because the immunity provision was originally suggested by the Soviets, they considered this provision to be desirable from their point of view.

Yet, instead of being pleased to see a provision in the convention that each party apparently considers to be in its interest, some regard the immunity provision as suspect, not because of its substance but because this provision was first proposed by the Soviets. Such suspicions are not new, of course, but I think we should reflect on the words of Ambassador George F. Kennan, in his book "Russia, the Atom and the West":

> . . . We must beware of rejecting ideas just because they happen to coincide with ones put forward on the other side. Moscow says many harmful and foolish things; but it would be wrong to assume that its utterances never happen to accord with the dictates of sobriety and good sense. The Russians are not always wrong, any more than we are always right. Our task, in any case, is to make up our minds independently.

If the Soviets had not been willing to make up their minds independently, there would have been no consular convention at all for we were the ones who first proposed negotiations on a consular convention and then pushed for them.

One more comment of Ambassador Kennan seems to me appropriate in concluding my remarks on the technical aspects of the convention. In an appearance before the committee on January 30 of this year he said about the treaty:

> When I first went to the Soviet Union proper, which was at the time of our recognition of the Soviet Government in 1933, we would not have hesitated for a second to conclude an agreement of this sort, had the Russians been willing to do it. We at that time considered it highly wrong and regrettable that they were so afraid of contacts between people, so afraid of having foreign representatives in their country, that they put so jealous a control on foreign representatives, that they did not want our consuls around. We wanted to go in for the maximum amount of that sort of exchange.
>
> I am somewhat surprised to find that now, 30 years later, we quail at an agreement of this sort * * *

I, too, am somewhat surprised at the opposition the treaty has aroused. It

does not befit a great and powerful nation—in fact, it seems to call into question its greatness and its power—to believe so little in its own strength and security, and to fear so for its own vulnerability, that it must "quail" at the prospect of the arrival of 10 or 15 Soviet officials.

The arguments of the opponents to this convention on the substantive provisions of the treaty which I have been discussing are mere skirmishes, however. The main attack on the treaty has been on much more fundamental grounds: on the grounds that this is no time to reach agreements with the Soviets because they are sending supplies to North Vietnam and that an agreement on consular relations—or, for that matter, on any subject—will lead inexorably to other agreements, including an agreement on trade which would enable the Soviets to increase the flow of military equipment to North Vietnam and thus prolong the war. This treaty should also not be ratified, according to its opponents, because the act of ratifying an agreement with the Soviets will be regarded as a mark of confusion by our allies, as a confession of weakness by our enemies, and as both by our fighting men in Vietnam.

It is difficult for me to understand and accept the fact that there are some in the Senate who, given an opportunity to improve relations in some small way with the Soviet Union and of reducing the tensions that exist in our relations with that country, prefer that we not do so, but that instead we keep relations frozen and tensions highly charged. I would certainly understand this attitude if it were motivated by an opposition to appeasement—that is, if this convention, or any of the East-West measures that I have mentioned, represented a sacrifice to the Soviets designed to mollify them. But I cannot understand why any Senator would hesitate to seize an opportunity to voice his approval for an agreement with the Soviet Union which offers us certain benefits in protecting American citizens traveling in the Soviet Union which we sought in the first place. I do not see how ratifying such an agreement could be construed as a mark of confusion or a confession of weakness. On the contrary, if I were the leader of North Vietnam I would be concerned at any sign of a rapprochement between an ally on whom I depended heavily and my opponent, especially if my ally and my opponent were the two most powerful countries in the world. And if I were an ally of the United States it would worry me to see the United States spurn an opportunity to reduce the tensions which might, if they are not reduced, lead to a conflict in which I might become involved simply because I was an ally of one of the protagonists.

As for the argument that this treaty is merely an opening wedge designed to insure the automatic passage of an outer space agreement and an East-West trade bill, I would not think that it would be necessary to make the point, although I will do so for the record, that such an argument insults the intelligence and integrity of this body by suggesting that we would not consider each of these measures on its merits.

But while this consular convention is not an opening wedge, it is certainly a test of the sentiment of the Senate, the sentiment of the Senate on the question of the general attitude the United States should adopt toward the European Communist world in general and the Soviet Union in particular. It seems to me that there are two general approaches to our relations with the Communist world. Those who object to the agreement before us because they object to any agreement with the Soviets can only mean that they believe that our disagreements with the Communist world will eventually be resolved, and can only be resolved, by a resort to force. That is the logical conclusion to which their argument leads, and it is a conclusion the consequences of which I do not like to contemplate. Those of us who are in favor of reaching agreements with the Soviet Union whenever possible—who believe, in fact, that it is in our national interest to seek such agreements—are convinced that the only possible way of resolving our differences with the Soviet Union is through peaceful means by mutual accommodation.

I hope that when the vote is taken on the consular convention most Members of the Senate will vote in favor of giving the Senate's advice and consent to ratification, not because I feel that it is of vital importance that we ratify this treaty to obtain the benefits it provides, but because we will be voting on a much more important question. We will be expressing an opinion in that vote on whether or not we believe in reaching agreements with the Soviet Union whenever it is possible to do so and whenever such agreements provide a net benefit to us. We will be voting on whether we wish to go, in President Johnson's words, "step by step" with the Soviets "as far as they are willing to advance" toward a reconciliation, or whether we prefer to follow another path—in this case, I believe, the only other path—which leads the United States and the Soviet Union not to a peaceful solution of our differences but to their resolution by force. These paths might well be called "mutual accommodation" and "mutual annihilation," for paths, like other avenues, often bear the names of their destinations.

Mr. President, I hope that the Senate will be able to move to dispose of this treaty as rapidly as possible. As everyone knows, this matter was before the Committee on Foreign Relations last year, and we reported it then; but for reasons which are understandable—last year was election year—the treaty was not voted on. However, the matter has been discussed at length, everyone is throughly familiar with it, and I hope that the Senate can proceed to a vote as soon as possible.

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

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. Mr. President, I wish to commend the distinguished Senator from Arkansas, the chairman of the Committee on Foreign Relations, which reported the pending convention with the Soviet Union by a vote of 15 to 4.

As the Senator has stated, this convention is definitely in the interest of the United States, far more so than it is in the interest of the Soviet Union.

I wish to reinforce what the Senator from Arkansas has said by pointing out that this convention was undertaken during the Eisenhower administration, on the initiative of the United States. It has been pursued by President Eisenhower's successors—the late President Kennedy and President Lyndon B. Johnson.

At the present time, figures indicate that the number of Americans visiting the Soviet Union is in excess of 18,000 a year, whereas the number of Soviet citizens visiting the United States is under 1,000 a year.

If and when this consular convention is agreed to, it will mean that additional protection will be given to U.S. citizens, who now can be held up to 9 months in Soviet jails without having the right of access to any American official; whereas, in our own country, Soviet citizens are subject to American law and are given the same rights that any American would be given under the Constitution—including of course the right to access to counsel or representative. So that this proposal is very much in the interest of the United States.

I would hope that the encouragement and support given by three Presidents would be taken into consideration. I would hope that emotions would not be predominant in our discussion of this most important treaty, and I would hope that the Senate, in its wisdom, would see fit to follow the lead of the distinguished chairman of the Committee on Foreign Relations and vote "aye" overwhelmingly on this proposal.

Mr. FULBRIGHT. I thank the Senator from Montana. I agree with him that the facts presented are such that, due to the numbers of tourists involved, as he has indicated, and as I have stated in my remarks, the treaty would mean more to the United States than to the Soviet Union.

I hope, however, as we move into a more relaxed period in our relations, that there will be more Soviet tourists in this country and that this treaty will then mean something to the Soviets as well. I hope that they will themselves approve this treaty. I believe they will. The Senator is correct.

I hope that we can move to completion of action on the treaty in the very near future.

VOLUNTARY NATIONAL SERVICE

Mr. BREWSTER. Mr. President, the past 2 days have been most eventful for those of us who are interested in the problems of selective service.

On Sunday, the National Advisory Commission on Selective Service made a careful report, after a 7-month study. Yesterday, President Johnson sent a message to the Congress dealing with the same topic.

I should like to praise both these documents, and also to take this opportunity

to make a concrete proposal of my own on a related subject, voluntary national service.

It seems to me that most Americans, being interested in a strong national defense and a fair method of achieving that strength, will applaud the Commission's report and the President's proposals.

The concept of taking our youngest draft eligibles first, instead of the present system which takes the oldest first, makes a great deal of sense, as does the recommendation that criteria for induction be administered uniformly across the country. These reforms will insure equitable service, and permit young men to plan their lives without the uncertainty that plagues many of them today.

Likewise, I support completely impartial random selection, which, in practical terms, would mean instituting a lottery, such as the one that was first used in World War I.

I have serious reservations, however, about the Commission's proposal to abolish all student deferments. On this issue, I agree with the minority of the President's Commission, and support the resolution introduced by the senior Senator from Massachusetts—which I will cosponsor.

Judging from the message he sent up yesterday, I believe that the President also has reservations about abolishing student deferments. It is noteworthy that he has stated that he will end most graduate school deferments, but he will withhold judgment on the question of undergraduate deferments.

There are two problems that occur to me. First is the extremely important question of how strong is this country's commitment to encourage our youth to attend college? For, the recommendations of the President's Commission would, it seems to me, discourage many students from going on to college.

The Commission has overlooked the factor of educational momentum: A student finishes high school and continues right on to college. There is every encouragement to do so; there is none of the chance to "get away from the books," which all too often means that the student will never return.

To put it in simplest terms, who is more likely to go to college; a 19-year-old who has just finished high school, or a 22-year-old who has been away from school for 3 or 4 years, may be about to be married, and is very likely going to be looking for ways to assert his newly found independence?

A second difficulty explored by the Commission is the need of the Armed Forces for capable officers. For many years, the usual minimum requirement for officers has been a college education. Will the recommendations of the Commission provide an adequate number of college-trained men to fill officer positions? Frankly, I find it hard to believe that they will.

Proposals to change college-deferment regulations should receive long and careful consideration before any change is made. It is clear that college deferments should not be allowed to become permanent exemptions, as frequently happens under the present system. After a maximum postponement of 4 years of college, the student should revert to the eligibility of a 19-year-old.

I urge the President to be most cautious in altering college-deferment policy, and I am confident that he will be.

One other aspect of the National Advisory Commission report was of particular interest to me. This is voluntary national service, and I am extremely pleased that both the President's message and the Commission report create a climate favorable to the introduction of a bill on national service.

The Commission concluded that a program of compulsory national nonmilitary service is not recommended. With this conclusion I am in agreement: Such a program is of doubtful constitutional validity.

But the Commission asked that more investigation be conducted into the possibility of a broad voluntary program of nonmilitary service.

The report states:

> The spirit which motivates interest in national service is undeniably a part of our national experience today. Sensitive to that spirit, the Commission suggests that the research which must be accomplished proceed, together with private and public experimentation with pilot programs.

This was echoed in the message of the President, who said:

> The spirit of volunteer service in socially useful enterprises will, we hope, continue to grow until that good day when all service will be voluntary, when all young people can and will choose the kind of service best fitted to their own needs and the Nation's . . . we will hasten it as we can.

It is the traditional spirit of American voluntarism that I seek to capture in the bill I introduce today. This bill would simply authorize the kind of detailed research on national service recommended by the National Advisory Commission.

Before explaining my proposal, I should like to define the somewhat vague term, "national service." The idea of nonmilitary service to the Nation has received considerable public attention in the last few years. This attention is due in part to the success of programs like VISTA and the Peace Corps, and in part to widespread concern over the Selective Service System. All too seldom is such "national service" defined or justified in terms of national needs and the potential of relatively untrained young people to meet them.

To me, national service means this: First, the young people of this country are capable of public service in many, many more areas than just the military. They have demonstrated that they are willing to perform such service.

Second, the service of young people is desperately needed in hundreds of nonmilitary activities. President Johnson has said:

> The call for public service cannot be met by professionals alone.

Alongside today's increasing advances in technology and specialization, there runs a parallel growing need for people with relatively little training, to perform nonspecialized but vital jobs.

In a study made for OEO, a private consulting firm estimated that there are 4 million nonmilitary service opportunities of this type. The Director of the war on poverty has projected the existence of 1 million jobs in the antipoverty area alone.

The need is enormous. One day this country must have a national service program to meet this need. It must be a program that will direct the energy and good will of young people to the great opportunities in public service spheres outside the military.

I, therefore, lay before the Senate today a bill to authorize a comprehensive, detailed study of the possibility of establishing a greatly expanded volunteer national service system.

The more I see of the social and economic needs of today—in cities, in small towns, in rural communities, and in what is left of the wilderness—and the more Congress focuses its attention on these needs, the more convinced I become that modern American society could not only justify a program of voluntary national service, soon it will demand one.

Consider only one problem area: the cities. Our increasing knowledge of urban problems demonstrates that they are getting worse, not better. Slums are created faster than they are eliminated. And at the same time, the problems related to life in slums grow more difficult each day.

So far, our efforts to halt this spiral of decay have met only fragmented success. Yet we have set it as our goal to bring health and light into the cities. We have vowed to rebuild the spirit and substance of urban America. To this task we have committed enormous resources. Every available resource, both public and private, will be required to do the job.

Personally, I can think of no resource that could be applied better to the rebuilding of the American city than the energy and talent, under proper guidance, of our young people.

Indeed, in programs like VISTA, young people have already been put to work in the neighborhood centers of our cities. They have performed brilliantly, and in doing so, have won the confidence and esteem of many of us in the Senate.

But VISTA volunteers and their counterparts in other voluntary public service programs are only a few of the millions that will be required to shoulder the day-to-day work of moving America toward the ambitious goals she has set for herself.

In this context, I should like to quote briefly from a recent speech of President Johnson.

> We must move ahead—

The President said—

> toward a standard that no man has truly lived who only served himself . . . the sign of your time is need. For while America has not ceased to be a land of opportunity to succeed, it has also become the land of opportunity to serve.

When the President said this, he announced that he was asking Federal, State, and local government authorities to cooperate in studying ways of developing a manpower service program at all levels of society.

Today, I propose that Congress authorize a similar study.

To handle the job, my bill would establish a seven-member National Service Advisory Commission appointed by the President. It would be composed of men and women whose experience would enable them to represent the fields of education, business, organized labor, community service, and other areas that would be affected by a national service program.

The National Advisory Commission would be charged with three duties:

First. To make an exhaustive study of volunteer national service. This would involve defining the concept, evaluating the problems to be encountered in its application, and figuring out how to overcome them;

Second. At the end of a year, to report to the President and Congress on the findings; and

Third. To make recommendations for further legislation in the area of national service.

In other words, before doing anything else, what we need is to get a firm grip on this rather vague idea of voluntary national service, and then to give it some form. We must find out just how it can be implemented in the United States in such a way as to benefit both community and volunteer, without infringing on the liberty of the individual citizen.

At this point, it would be difficult even to engage in fruitful debate on national service on the basis of the inadequate data that has been assembled so far. We simply do not know enough to establish a position very definitely one way or the other.

Therefore, the question I lay before the Senate today is not whether we should or should not have a national service system, but merely whether we should look into the national service concept, and study it with an eye to future legislation. I contend that we should.

(At this point, Mr. BYRD of West Virginia assumed the chair as Presiding Officer.)

Mr. BREWSTER. Mr. President, each and every one of my colleagues in the Senate, I am sure, has many questions on the subject of national service. My bill would direct the proposed National Service Advisory Commission to consider the following 10 questions that seem to me absolutely central to this whole issue:

First. How should a national service program relate to existing Federal voluntary nonmilitary service programs like VISTA and Peace Corps, and what can the experience of these organizations contribute to the establishment of an expanded national service program with the broadest possible participation?

Second. What should be the nature and scope of a national service program?

Third. How many jobs are there that could be filled by national service volunteers, and how many additional jobs would be generated if a volunteer service program were set up on a nationwide basis? This is one area in which existing statistical data is particularly inadequate.

Fourth. What would be the relationship of such a program to the draft, considering especially that manpower needs of the Armed Forces must have clear priority over anything else?

Fifth. How can we coordinate national service with the hundreds of private, local, and State public service programs that already exist—in other words, how can national service be anchored effectively to local endeavors?

Sixth. What would be the impact of a large body of public service volunteers on the labor force and on the economy of the United States?

Seventh. How would national service affect secondary and higher education? The educational value of this kind of public service should be a prime consideration.

Eighth. What about women—should they be allowed to participate, and if so, in what ways? To help explore this question, the proposed commission would include at least one female member.

Ninth. How much will national service cost? Accurate financial projections would be a prerequisite to future congressional action.

Tenth. What would be demanded of a national service volunteer and what standards should a public service program—be it private, local, State, or Federal—be required to meet in order to qualify as a national service activity?

I do not mean to imply, nor would I ever suggest, that there can ever be a just equation between the young American killed defending his country and the one who survives, never having undertaken hazardous military duty. My own wartime experience in the Marine Corps and my continuing respect for the military prevent me from ever considering such an idea.

I do believe, however, that both the young man who shoulders a rifle in the Marine Corps and the one who wields a pickax in the Peace Corps can be recognized as performing invaluable service to their country.

One is a soldier in uniform; the other is a citizen-soldier. But both are patriotic beyond question.

If our Armed Forces are maintained approximately at the 3-million-man level between now and 1974, only 750,000 of the 1.8 million young men who turned 18 in 1966 can expect to serve in uniform.

Of the 1.8 million turning 18 last year, 500,000 will be qualified for military service but never called, and a slightly larger number, 550,000 will be eliminated as unqualified for physical or mental reasons.

Therefore, nearly 33 percent of those registering will fail to meet the existing mental, physical, or administrative standards for military service between now and 1974.

What is more, this percentage will be rising. The number of young men turning 18 in a given year has risen steadily in the past decade. There were 1.3 million in 1960, 1.7 million in 1965, 1.8 million in 1966, and in 1972, it is estimated that there will be more than 2 million. However, while the number of 18-year-old men goes up, the projected number of draftees actually decreases. In 1972, it is estimated that about 75,000 will be needed for the draft, as against 90,000 in 1960 and 102,000 in 1965.

Last June, the Department of Defense stated that 54 percent of the young men then 26 had not engaged in military service. By 1974, DOD projected, this figure will rise significantly to 58 percent.

This wealth of statistics bears testimony to a bitter paradox: The men who need the draft most are the very ones most likely to be rejected. The men for whom military training is the sole means of acquiring the tools to carve out a better position in society are the very ones denied that training.

As my distinguished colleague, the senior senator from Massachusetts [Mr. KENNEDY], stated before this body 10 days or so ago:

> Very often these rejectees . . . simply drop out of sight, the window of draft registration having given us only a fleeting glimpse of them. When this happens, we have missed an extraordinary opportunity. We have also witnessed a tragedy.

Draft reform is one way to dispel this tragedy; national service is another. The kind of national service I envision—that is, a program aimed at recruiting volunteers from all environments—is the most practical method proposed so far for the mass rehabilitation of what would otherwise become dropouts from society.

I note with pleasure that, in their overall hearings on the draft, the Subcommittee on Manpower, Employment, and Poverty will explore the effectiveness of the constructive work already begun in this area.

I also note with pleasure that the senior senator from Massachusetts, who will chair those hearings, has stated his intention to hear testimony on national service. I expect to present my views to the subcommittee, and I hope that the bill I introduce today will be considered along with other proposed legislation in this field.

At this point, Mr. President, I should like to cite briefly the report of the National Commission on Technology, Automation, and Economic Progress. In a cost-benefit evaluation of the GI bill made last year, the Commission concluded:

> Men and women whose backgrounds precluded the possibility of higher education and advanced training were lifted (by GI bill educational benefits) into totally unexpected positions in life. And in simple monetary terms, the investment has already been returned in taxes on their higher incomes. The lesson should not be forgotten or neglected.

I submit that the same reasoning applies to a program of national service.

First, the training received in a national service program could make hundreds of otherwise unobtainable positions available to those whose opportunities were so limited that they could not even get into the Army.

Second, the investment in a national service program that achieves this manpower training goal in the long run would be returned in taxes on higher incomes.

It would be possible to address the Senate for some hours on the dividends of national service. Briefly, though, we should consider the vast number of jobs contributing to the welfare of the Nation and the individual that could, and I believe someday must, be performed by young volunteers.

We should also consider the education and training of the underprivileged and the cross-cultural experience to be gained by all who participate. These, too, increase the desirability of a voluntary national service program.

But before there can be a program, there must be a study. And this, in short, is what I propose today: that the Senate establish a commission to study national service and see what can be done with it. I sincerely believe that the concept and the promise it holds merits such an effort.

Mr. President, I ask unanimous consent that the bill which I introduce at this time, be printed at this point in my remarks.

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

The bill (S. 1213) to provide for a study with respect to establishing an expanded volunteer national service system, introduced by Mr. BREWSTER, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 1213

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to determine the feasibility and desirability of establishing an expanded volunteer national service system for citizens able and willing to serve in nonmilitary activities designed to help the United States to combat disease, ignorance, and poverty at home and abroad, there is hereby established an Advisory Commission on National Service (hereinafter referred to as the "Commission").

MEMBERSHIP OF THE COMMISSION

SEC. 2. (a) The Commission shall be composed of seven members to be appointed by the President from among persons who are specially qualified to serve on such Commission by virtue of their education, training, or experience. At least one member of the Commission shall be a woman.

(b) Any vacancy in the Commission shall not affect its powers.

(c) The President shall designate one of the members to serve as chairman and one to serve as vice chairman of the Commission.

(d) Four members of the Commission shall constitute a quorum.

DUTIES OF THE COMMISSION

SEC. 3. (a) The Commission shall conduct a comprehensive study and investigation of the desirability and feasibility of establishing an expanded volunteer national service system. Such study and investigation shall include, but not be limited to, consideration of:

(1) a review of existing Federal voluntary nonmilitary service programs where hardship or extraordinary service is required, such as the Peace Corps and the Volunteers in Service to America, in order to determine the feasibility of establishing an expanded national service system with the broadest possible participation;

(2) what the nature and scope of a national service program should be;

(3) the number of service opportunities which would be generated by such a program;

(4) the relationship of such a service system with the Selective Service System under the Universal Military Training and Service Act as amended (50 App. U.S.C. 451 et seq.), and the manpower requirements of volunteer national service as related thereto.

(5) the most effective means by which such a system may be coordinated with appropriate private, local, and State programs of a public service nature;

(6) the impact of such a service system upon the labor force and the economy of the United States;

(7) the effect of such a service system upon secondary education and higher education;

(8) the role of women in such a service system;

(9) the cost of establishing and operating such a service system; and

(10) the standards for participation, if any, and the duration of service, in such system.

(b) The Commission may transmit to the President and to the Congress such interim reports as it deems advisable and shall transmit its final report to the President and to the Congress not later than one year after the first meeting of the Commission. Such final report shall contain a detailed statement of the findings and conclusions of the Commission together with its recommendations, including such recommendations for additional legislation as it deems advisable.

POWERS OF THE COMMISSION

SEC. 4. (a) The Commission or, on the authorization of the Commission, any subcommittee or members thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings, take such testimony, and sit and act at such times and places as the Commission deems advisable. Any member authorized by the Commission may administer oaths or affirmations to witnesses appearing before the Commission or any subcommittee or members thereof.

(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this Act.

(c) Subject to such rules and regulations as may be adopted by the Commission, the Chairman, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, shall have the power—

(1) to appoint and fix the compensation of such staff personnel as he deems necessary, and

(2) to procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, but at rates not to exceed $50 a day for individuals.

(d) The Commission is authorized to enter into contracts with Federal or State agencies, private firms, institutions, and individuals for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of its duties.

(e) The Chairman is authorized to accept, in the name of the Commission, and employ or dispose of in furtherance of the objectives of this Act, any money, or property, real, personal, or mixed, tangible or intangible, received by gift.

COMPENSATION OF MEMBERS

SEC. 5. Members of the Commission shall receive compensation at the rate of $50 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission.

APPROPRIATIONS AUTHORIZED

SEC. 6. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

TERMINATION

SEC. 7. On the ninetieth day after the date of submission of its final report to the President, the Commission shall cease to exist.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move that the Senate, in executive session, stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 41 minutes p.m.) the Senate, in executive session, adjourned until tomorrow, Wednesday, March 8, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 7, 1967:

OFFICE OF ECONOMIC OPPORTUNITY

Genevieve Blatt, of Pennsylvania, to be an Assistant Director of the Office of Economic Opportunity, new position.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 7, 1967:

FEDERAL COAL MINE SAFETY BOARD OF REVIEW

Elzie H. Wooten, of Tennessee, to be a member of the Federal Coal Mine Safety Board of Review for the term expiring July 15, 1969.

OFFICE OF ECONOMIC OPPORTUNITY

William H. Crook, of Texas, to be an assistant director of the Office of Economic Opportunity.

William P. Kelly, Jr., of Virginia, to be an assistant director of the Office of Economic Opportunity.

NATIONAL LIBRARY OF MEDICINE

Alfred Robert Zipf, of California, to be a member of the Board of Regents, National Library of Medicine, Public Health Service, for a term expiring August 3, 1970.

Dr. Kathryn M. Smith, of Colorado, to be a member of the Board of Regents, National Library of Medicine, Public Health Service, for a term expiring August 3, 1970.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 7, 1967

The House met at 12 o'clock noon.

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

Blessed are the pure in heart: for they shall see God.—Matthew 5:8.

God of our fathers and our Father, from the busy traffic of daily living we would pause in Thy presence and wait upon Thee seeking strength for the day, wisdom to make wise decisions, courage to carry our responsibilities with honor, and love to motivate all our endeavors.

Should we fail in achieving some of our objectives, let not the spirit of defeat dampen our devotion to the highest we