

been elevated to full-time status, under Miss Betty Furness. But the work of Mrs. Peterson will not soon be forgotten.

We in this House are well acquainted with Mrs. Peterson's advocacy of the Fair Packaging and Labeling Bill. Were it not for her tireless efforts in behalf of this bill, it may well have been forgotten, and consumers may have been deprived of the money-saving benefits that will come from clearer labeling and more honest packaging.

But Mrs. Peterson's legislative activities were just one small part of her achievements for the consumer.

More than anything, Mrs. Peterson deserves credit for awakening Americans to their rights and responsibilities as consumers. The era of "caveat emptor" is rapidly dying, and Mrs. Peterson has hastened its demise. Consumers will no longer silently accept bad products or bad practices, and the net result will be an economy that is more responsive, more healthy, and more prosperous.

Mrs. Peterson's job has not been easy. Yet she has handled her tasks with grace and a boundless energy. To many who fear the consumer's voice, Mrs. Peterson served as a convenient target. Yet at all times she attempted to meet unjust criticism with fact and reason. Her consumer door was always open to those with opposing viewpoints, and she never, to my knowledge, ducked an argument. Instead, she went out of her way to put

the consumer viewpoint before business and other groups. In the last 3 years, she formally addressed hundreds of audiences, most of them consisting of businessmen with conflicting viewpoints and, in countless other meetings, she carried on a continuing dialog so as to reduce these differences. Not all differences were resolved, but no person who met Mrs. Peterson could fail to be swayed by her warmth and the sincerity of her purpose.

Her work with businessmen led, in fact, to the formation of a textile industry committee that has launched a voluntary campaign to expand and improve care labels on consumer garments. I understand that this same constructive approach is also being employed with the footwear industry.

Within the Government, Mrs. Peterson was an equally strong advocate. She helped develop an awareness of the consumer problems of the poor within the Office of Economic Opportunity. She worked with the Commerce Department to insure that the consumer viewpoint would be heard in standards-making procedures. She worked with the Defense Department to develop rules of fair business conduct involving our servicemen. Her work with the Federal Trade Commission most recently resulted in that agency's investigation of supermarket contests.

Similarly, Mr. Speaker, Mrs. Peterson

worked hard and long to get the States and private organizations to recognize their responsibilities and opportunities in the consumer field. And these efforts often met with success. It is worth noting, for example, that the number of States having counterpart consumer representatives doubled in the last 3 years, from three States to six, and that the number of States with consumer protection agencies of other kinds has grown to 21.

Not all these accomplishments can be directly attributed to Mrs. Peterson, but it is a fact that she more than any other individual has done the most to make the long-ignored need for consumer protection known.

Finally, Mr. Speaker, and with due respect to our colleagues across the aisle, I wish to note that Mrs. Peterson has been an outstanding Democrat. She has always given first consideration to her country, but her second consideration has been her party. I have been told that during the last general election, the demands for appearances by Mrs. Peterson was third only to those of the President and Vice President.

I know that Mrs. Peterson will carry on in her Labor Department job with the same dedication and energy she has given to all her enterprises. For this dedicated lady's services, all Americans can be grateful. We wish her well in all her future activities.

SENATE

THURSDAY, MARCH 9, 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.

Rev. Milton W. Sanderson, Jr., minister, Baptist Temple, Huntington, W. Va., offered the following prayer:

O God, our help in ages past, our hope for years to come, our shelter from the stormy blast, and our eternal home. We come unto Thee, Gracious Lord, because we have no other to lean upon. We pray, O Gracious Lord, that Thou will endow these leaders with understanding, wisdom, and courage to make right decisions. We realize, Gracious Lord, that some of the tasks they face are quite difficult. We pray that Thou will remind them that they can come unto the One who said, "Come unto me all ye that labor and are heavy laden, and I will give you rest."

With the world groping for peace today, and our young men fighting and dying on the battlefronts, remind us once again, Gracious Lord, that there will never be any eternal peace until we find the Prince of Peace. May He be our constant guide and companion.

Now, our Father, as we commit ourselves unto Thee once again, we pray that Thou will give us the strength that is necessary to stand up for the task, to be men of conviction, bold in our declaration. May the God of Peace and the God of Glory watch over and

sustain us through this time and as we yield ourselves to Him once again through Jesus Christ, our Lord. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., March 9, 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 Wednesday, March 8, 1967, was dispensed with.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Business and Commerce of the Committee on the District of Columbia was authorized to meet during the session of the Senate today.

LIMITATION OF STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS AS IN LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business, as in legislative session, and that each Senator's statement therein be limited to 3 minutes.

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

THE RECOGNITION OF SENATORS SCOTT, BAKER, AND PASTORE

Mr. MANSFIELD. Mr. President, I ask unanimous consent, as in legislative session, that at the conclusion of the address to be delivered by the distinguished Senator from Pennsylvania [Mr. SCOTT], the distinguished Senator from Tennessee [Mr. BAKER] may be recognized for 20 minutes; that at the conclusion of the address to be delivered by the Senator from Tennessee, the distinguished Senator from Rhode Island [Mr. PASTORE] be recognized for 20 minutes; all as in legislative session.

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

RECOGNITION OF SENATOR HOLLAND

Mr. HOLLAND. Mr. President, I ask unanimous consent, as in legislative session, that following the speeches of the distinguished Senator from Pennsyl-

vania [Mr. SCOTT], the distinguished Senator from Tennessee [Mr. BAKER], and the distinguished Senator from Rhode Island [Mr. PASTORE], I may be allowed to speak for 10 minutes, as in legislative session, prior to the taking up of the pending business.

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

MESSAGES FROM THE PRESIDENT

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

REORGANIZATION PLAN NO. 2 OF 1967—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 78)

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate a message from the President of the United States, transmitting Reorganization Plan No. 2 of 1967, concerning the U.S. Tariff Commission. Without objection, the message will be printed in the RECORD, without being read, and appropriately referred.

The message was referred to the Committee on Government Operations, as follows:

To the Congress of the United States:

I am transmitting Reorganization Plan No. 2 of 1967, concerning the U.S. Tariff Commission.

The plan is a step toward fulfilling my pledge to the American people that Government must be reshaped to meet the tasks of today. It underscores my conviction that progress can be achieved by building upon what is strong and enduring, but that we shall never hesitate to discard what is inefficient or outmoded.

This plan has a single, clear objective—to strengthen the operations of the Tariff Commission by transferring to its Chairman certain routine executive and administrative functions now divided among its six Commissioners.

In taking this long overdue step, the plan adopts a proven concept of good management recommended by the first Hoover Commission: in the interest of efficiency purely administrative functions—budgeting, personnel supervision, and general management—should be vested in the chairman of a commission rather than diffused throughout the Commission.

This principle was followed by each of my predecessors—Presidents Harry S. Truman, Dwight D. Eisenhower, and John F. Kennedy.

It has been applied successfully to most of our Commissions, including the Federal Trade Commission, the Securities and Exchange Commission, the U.S. Civil Service Commission, and the Federal Home Loan Bank Board.

The reorganization plan I recommend will extend it to the Tariff Commission.

The Tariff Commission plays a key role in safeguarding the Nation's economic vitality. It reviews our commercial policies and studies how these policies affect competition between foreign and domes-

tic products. Periodically, after public investigation, the Commission reports to Congress and the President concerning the effect of imports on our domestic industries and our workers.

The Commission's tasks are demanding and complex. They require skill and careful judgment. Often, the Commission must work under intense time pressure.

The plan I forward today will promote efficient operation of the Tariff Commission by:

Centralizing and consolidating in a single executive—the Chairman—the purely administrative functions of the Commission;

Freeing the other Commissioners from these routine burdens so they can devote full time to investigative and advisory responsibilities.

Thus, the plan transfers, from the Commission as a whole to the Chairman of the Commission, these duties:

Overall management of the Commission's activities;

Direction and supervision of the employees of the Commission;

Personnel actions, such as hiring, promotion, salary, transfer, removal of Commission employees, and

Allocation and use of funds appropriated to the Commission.

This plan will allow the Nation's businessmen and workers—and indeed every citizen—to reap the benefits of modern and effective Government.

As a result of this plan, the Tariff Commission will be managed more efficiently. It is too early, however, to estimate the exact dollar savings that will flow from these improved operations.

This plan was prepared in accordance with chapter 9 of title 5 of the United States Code.

After investigation, I have found, and I hereby declare, that each reorganization included in the accompanying plan is necessary to accomplish one or more of the purposes set forth in section 901(a) of title 5.

I urge Congress to permit this reorganization plan to become effective.

LYNDON B. JOHNSON.

THE WHITE HOUSE, March 9, 1967.

REPORT ON U.S. PARTICIPATION IN THE UNITED NATIONS—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 82)

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate a message from the President of the United States, transmitting a report on U.S. participation in the United Nations. Without objection, the message will be printed in the RECORD, without being read, and appropriately referred.

The message was referred to the Committee on Foreign Relations, as follows:

To the Congress of the United States:

I am submitting herewith the 20th annual report on U.S. participation in the United Nations, covering calendar year 1965.

That year gave new evidence of our country's vigorous commitment to the world organization, and to the cause of peace which it serves. All of the Amer-

ican efforts recorded here—whether political, economic, social, legal, or administrative—were designed solely to further that commitment.

The whole world shared our grief when Ambassador Adlai E. Stevenson died in London on July 14, 1965. The respect and affection in which he was held, and the world's gratitude for his contributions to the United Nations, found expression in messages from officials and leaders around the globe, and in the rare tribute of a memorial meeting in the General Assembly hall at the United Nations.

One measure of a nation's regard for the United Nations is the quality of representatives it sends to the Organization. Accordingly, I asked Arthur J. Goldberg to leave the Supreme Court of the United States and to succeed Ambassador Stevenson as our permanent representative to the United Nations.

Ambassador Goldberg's first important task was to help end the paralysis suffered by the General Assembly in 1964 as a result of the U.N. constitutional crisis. It had become clear that the membership as a whole was not prepared to apply the penalty provided by article 19 of the charter—loss of vote in the Assembly for those more than 2 years in arrears—to those members who had refused to contribute their assessed shares of certain peacekeeping operations. On August 16, Ambassador Goldberg announced that the United States would not seek to frustrate the evident desire of many members that the General Assembly should proceed normally. At the same time, he made it clear that the United States reserved the same option to make exceptions to collective financing assessments in the future.

The consensus reached by the General Assembly included agreement that the Organization's financial difficulties should be solved through voluntary contributions, particularly from those delinquent in their payments. A few nations contributed, but those furthest in arrears did not. The financial condition of the United Nations thus remained precarious.

During 1965, the Security Council made a major contribution to international peace by halting the hostilities between India and Pakistan arising from the Kashmir dispute. In thus arresting a full-scale war on the subcontinent, the Organization prevented untold tragedy in Asia—and proved anew its value as an instrument for peace.

United Nations peace forces and truce supervisors continued to stand guard throughout 1965 in Cyprus, in Kashmir, in Korea, and along the troubled borders of Israel. The Security Council also dispatched United Nations representatives and observers to the Dominican Republic during the disorders there; but the primacy of the Organization of American States in dealing successfully with this regional problem, in accordance with the United Nations Charter, remained unimpaired.

During the year, concrete steps toward disarmament were again strongly urged from all quarters, although progress proved disappointingly slow; the serious

problems of race relations and colonialism in Southern Africa were also a cause of increasing debate and concern; and the United Nations and its members were repeatedly urged by the United States to join in the search for peace in Vietnam.

In my speech in San Francisco on June 25, 1965—the 20th anniversary of the United Nations—I called upon its members to use all their influence, individually and collectively, to bring to the negotiating table those who seemed determined to continue the conflict. Ambassador Goldberg addressed similar appeals to United Nations members. Indeed, in his first official communication as U.S. representative, a letter to the Security Council President on July 30, 1965, Ambassador Goldberg recalled the legitimate interest of the Security Council in the peace of southeast Asia and asserted that—

The United States stands ready, as it has in the past, to collaborate unconditionally with members of the Security Council in the search for an acceptable formula to restore peace and security to that area of the world.

Unfortunately, these initiatives produced no affirmative response from those supporting the aggression against South Vietnam. Two suspensions of the bombing of North Vietnam during the year were no more successful in opening the path to honorable negotiations. The tragic conflict continues unabated in Vietnam. But we are continuing our efforts untiringly to seek a peaceful settlement of this issue through the United Nations and all other channels. This was the key issue dealt with in Ambassador Goldberg's statement to the 21st General Assembly in the general debate in September 1966.

The year 1965 marked the midpoint of the United Nations development decade. It was a year of sober assessment. Despite substantial progress in some areas, it was clear that in most of the more than 100 countries with per capita incomes of less than \$200, economic growth had been largely swallowed up by the mounting tide of population growth. Multilateral programs of aid, trade, and investment, although substantial in absolute terms, are not sufficient—even when combined with all the other large programs, public and private—to narrow the development gap.

This discouraging assessment stimulated new efforts to cope with development problems;

The newly created U.N. Conference on Trade and Development began its search for new trade patterns and practices which would benefit the developing countries.

The establishment of a new U.N. Organization for Industrial Development was approved by the General Assembly.

The U.N. development program was established by merger of the U.N. Expanded Program of Technical Assistance and the Special Fund. The United States had worked long and hard for the integration of these two major U.N. operational programs in order to permit better planning and more effective use of resources.

Foundations were laid for the new

Asian Development Bank with a capitalization of \$1 billion, including a \$200 million subscription by the United States. It promises to be one of the most effective agencies for the financing of economic and social development in Asia.

A new African Development Bank, designed to play a similar role in Africa, opened for business.

Through these and other instrumentalities, our delegations in U.N. agencies have given leadership and positive support to major goals in the struggle for a better life: more food production; assistance in voluntary family planning; the training of skilled manpower; development of transport and communications; fuller utilization of natural resources; and increased application of science and technology.

The year 1965 had been designated International Cooperation Year—ICY—by the U.N. General Assembly, and U.N. members were urged to commemorate it in appropriate ways. The culmination of the American celebration was a White House Conference attended by more than 5,000 distinguished Americans—leaders in their communities, in business and industry, in educational and labor organizations, in the arts and sciences, and in the professions. The Conference discussed reports on international cooperation in agriculture, atomic energy, disarmament, health, the welfare of women and youth, and many other fields. Many of its recommendations have already been put into effect. Others are being thoroughly evaluated by a special White House committee which will shortly submit its report to me.

Public support for the United Nations continued at a high level as the organization approached its 21st anniversary. Most thoughtful people know that the United Nations is a far from perfect organization, in a far from perfect world. Yet they also recognize that it and its specialized agencies are the best system yet devised for sovereign nations to work together with equality and self-respect.

Our investment in the United Nations, and its various agencies and special programs, supplements other activities undertaken to preserve, protect, or promote a wide range of national interests. Above all, our commitment to the United Nations is an expression of faith which has illumined the entire history of our country: a faith that the creative powers of democracy and human reason can overcome the evils of tyranny and violence.

LYNDON B. JOHNSON.

THE WHITE HOUSE, March 9, 1967.

REPORT ON MARINE SCIENCE ACTIVITIES OF THE FEDERAL GOVERNMENT—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 79)

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate a message from the President of the United States, transmitting a report on marine science activities of the Federal Government. Without objection, the message will be printed in the Record, without being read, and appropriately referred.

The message was referred to the Committee on Commerce, as follows:

To the Congress of the United States:

I am pleased to report on the marine science activities of the Federal Government.

The resources of the oceans can help us meet many of the challenges that face our Nation and the world today.

The vast food reserves of the sea must be developed to help end the tragic cycle of famine and despair.

The continuing pollution and erosion of our seashores, bays, estuaries, and Great Lakes must be arrested and reversed to safeguard the health of our people and to protect the resources of the sea.

The influence of oceans on the environment must be understood so that we may improve the long-term forecasting of storms, weather and sea conditions; protect life and property in coastal areas; and improve the prediction of rainfall in the interior.

The wealth of the ocean floor must be freed for the benefit of all people.

Finally, the seas must be used as pathways to improved international understanding and cooperation.

The great potential of the seas has not gone unnoticed. During the past 6 years, we have invested increasingly in the development of marine scientific and technical manpower, ships, and facilities. The quality of our research fleet, deep sea vessels, and laboratories is unsurpassed. The small but growing corps of highly trained specialists provides a strong creative base for our marine science and technology.

The 89th Congress also responded to the challenge of the oceans by enacting:

The Marine Resources and Engineering Development Act which provides a stronger policy and organization framework and gives new momentum to our marine science activities.

The Sea Grant College and Program Act, which will improve our capabilities for training and research in marine sciences and engineering.

The act authorizing pilot plants for the production of fish protein as a usable source of food.

The new National Council on Marine Resources and Engineering Development, chaired by the Vice President, has made significant progress in carrying out its responsibilities for planning and coordinating the Nation's marine science activities. In consultation with the President's Science Advisory Committee, the National Academy of Sciences, and other agencies of the Federal Government, the Council has reviewed our current work and has identified the areas in which action should be taken.

We must:

Launch a pilot program to assist the protein-deficient countries of the world in increasing their capacity for using the fish resources of the seas;

Implement the Sea Grant College and Program Act to strengthen oceanographic engineering, expand applied research and improve technical information activities;

Accelerate studies to improve the collection, storage, retrieval, and dissemination of oceanographic data;

Expand ocean observation systems to improve near-shore weather prediction

services, and study ways to make more accurate long-range predictions of precipitation levels and drought conditions;

Study the Chesapeake Bay to determine the effects of estuarine pollution on shellfish, health, recreation, and beauty, and to provide a basis for remedial measures;

Explore off-shore solid mineral deposits;

Improve technology and engineering for work at great ocean depths;

Equip a new Coast Guard ship to conduct oceanographic research in sub-Arctic waters.

Details of these programs are set forth in the accompanying report of the National Council on Marine Resources and Engineering Development.

I have this year recommended to the Congress a 13-percent increase—from \$409 million to \$462 million—in appropriations to support marine science activities. These funds will permit us to expand our efforts to understand the sea and develop its vast resources. They will enhance the capabilities of local government, universities, and private industry to join in this vital enterprise. They will enable us to support the important new efforts recommended by the National Council on Marine Resources and Engineering Development.

I urge the Congress to provide the necessary funds to support these important efforts.

In January I appointed 19 distinguished Americans, including four Members of Congress, to serve as members and advisers of the Commission on Marine Science, Engineering, and Resources. This Commission will complement the activities of the National Council on Marine Resources and Engineering Development, by providing impartial insights into the strengths and weaknesses of our marine science programs.

The Commission will be called upon to identify still more opportunities for a concerted public and private effort—to develop the resources of the sea through a creative and cooperative partnership of Government, industry, and the academic community.

The depth of the sea is a new environment for man's exploration and development, just as crossing the West was a challenge in centuries past.

We shall encounter that environment with the same conviction and pioneering spirit that propelled ships from the Old to the New World.

We shall bring to the challenge of the ocean depths—as we have brought to the challenge of outer space—a determination to work with all nations to develop the seas for the benefit of mankind.

LYNDON B. JOHNSON.

THE WHITE HOUSE, March 9, 1967.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Foreign Relations.

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

AUDIT OF FINANCIAL TRANSACTIONS OF VETERANS OF WORLD WAR I OF THE U.S.A., INC.

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the National Quartermaster, Veterans of World War I of the U.S.A., Inc., Washington, D.C., transmitting, pursuant to law, an audit of the financial transactions of that organization, as of September 30, 1966, which, with accompanying papers, was referred to the Committee on the Judiciary.

RESOLUTION OF RHODE ISLAND GENERAL ASSEMBLY

Mr. PELL. Mr. President, on behalf of my colleague [Mr. PASTORE] and myself, I present to the Senate a resolution adopted by the General Assembly of the State of Rhode Island, memorializing the Congress of the United States to increase the benefits under social security as recommended by President Johnson.

I should also like to take this opportunity to voice my full support of the action taken by the Rhode Island General Assembly, for I too am most concerned by the plight of our elderly living on fixed incomes in this period of rising costs. It was for this very reason that I introduced S. 193, which calls for the joining of social security benefits with the Consumer Price Index compiled by the Department of Labor.

Every day which passes, without Senate action to alleviate the social security benefit problem, is another day during which our elderly must suffer due to the lack of funds. I urge the Senate Finance Committee to take note of the resolution from the Rhode Island General Assembly and trust that expeditious action will be forthcoming.

There being no objection, the resolution was referred to the Committee on Finance, as follows:

"H. 1181

"A resolution memorializing the Congress of the United States to increase the benefits under social security as recommended by President Johnson

"Whereas, millions of elder citizens are attempting to survive on small fixed incomes; and

"Whereas Social Security benefits, in very many instances are their only income; and

"Whereas, Consideration should be given to the constantly rising cost of living index, particularly as it concerns this considerable group of low and fixed income citizens; now therefore be it

"Resolved, That the general assembly of the State of Rhode Island and Providence Plantations does hereby memorialize the Congress of the United States to increase the benefits under Social Security as recommended by President Johnson; and be it further

"Resolved, That the Secretary of State be and he hereby is authorized and directed to transmit duly certified copies of this resolution to the senators and representatives from Rhode Island, in the Congress of the United States, urging them to exert every effort to affect the increase in Social Security benefits."

I, August P. La France, Secretary of State of the State of Rhode Island and Providence Plantations, hereby certify that the foregoing is a true copy of resolution (H. 1181) entitled "Resolution memorializing the Congress of the United States to increase the benefits under social security as recommended by President Johnson" taken from the records in this office and compared with the original resolution (H. 1181) passed by the General Assembly at the January Session, A. D. 1967 and approved by the Governor on the first day of March, 1967 and now remaining on file and of record in this office.

In testimony whereof, I have hereunto set my hand and affixed the seal of the State of Rhode Island, this second day of March, A. D. 1967.

AUGUST P. LA FRANCE,
Secretary of State.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

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

S.J. Res. 18. Joint resolution to provide for the administration and development of Pennsylvania Avenue as a national historic site (Rept. No. 64).

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. MANSFIELD (for himself and Mr. METCALF):

S. 1232. A bill providing that certain privately owned irrigable lands in the Milk River project in Montana shall be deemed to be excess lands; to the Committee on Interior and Insular Affairs.

By Mr. RUSSELL:

S. 1233. A bill to extend to the professional team sport of soccer the same treatment under the antitrust laws which heretofore has been accorded to other professional team sports; to the Committee on the Judiciary.

By Mr. MONRONEY (for himself and Mr. HARRIS):

S. 1234. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Mountain Park reclamation project, Oklahoma, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. DOMINICK:

S. 1235. A bill to authorize the Commissioners of the District of Columbia to acquire certain real property in the District of Columbia determined to be necessary for use as a headquarters site for the Organization of American States or as sites for offices of other international organizations or governments of foreign countries, and for other purposes; to the Committee on the District of Columbia.

By Mr. BAKER (for himself, Mr. CARLSON, Mr. COOPER, Mr. COTTON, Mr. DOMINICK, Mr. FANNIN, Mr. GRIFFIN, Mr. HANSEN, Mr. HRUSKA, Mr. JAVITS, Mr. MORTON, Mr. PEARSON, Mr. PERCY, Mr. SCOTT, Mr. TOWER, and Mr. YOUNG of North Dakota):

S. 1236. A bill to provide for the sharing with the State and local governments of a portion of the tax revenues received by the United States; to the Committee on Finance.

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

By Mr. YOUNG of North Dakota:

S. 1237. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income the expense allowances, not exceeding a total of \$2,000 a year, paid to members of State legislatures; to the Committee on Finance.

By Mr. JAVITS (for himself and Mr. WILLIAMS of New Jersey):

S. 1238. A bill to provide for the issuance of a special series of postage stamps in honor of Amerigo Vespucci; to the Committee on Post Office and Civil Service.

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

By Mr. JAVITS (for himself and Mr. LONG of Missouri):

S. 1239. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled; to the Committee on Finance.

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

By Mr. RIBICOFF:

S. 1240. A bill to prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States; to the Committee on Commerce.

By Mr. RUSSELL (for himself and Mrs. SMITH) (by request):

S. 1241. A bill to authorize certain construction at military installations, and for other purposes; to the Committee on Armed Services.

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

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

S. 1242. A bill to authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes; to the Committee on Interior and Insular Affairs.

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

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

S. 1243. A bill to revise the boundaries of the Grand Canyon National Park, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. KENNEDY of Massachusetts:

S. 1244. A bill for the relief of Marie Sahely; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 1245. A bill to authorize the Commissioners of the District of Columbia to lease airspace above and below freeway rights-of-way within the District of Columbia, and for other purposes;

S. 1246. A bill to authorize the Commissioners of the District of Columbia to enter into leases for the rental of, or to use or permit the use of, public space in, on, over, and under the streets and alleys under their jurisdiction, other than freeways, and for other purposes; and

S. 1247. A bill to authorize the Commissioners of the District of Columbia to fix and collect rents for the occupancy of space in, on, under, or over the streets of the District of Columbia, to authorize the closing of unused or unsafe vaults under said streets and the correction of dangerous conditions of vaults in or vault openings on public space, and for other purposes; to the Committee on the District of Columbia.

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

RESOLUTION

TO PRINT AS A SENATE DOCUMENT A COMPILATION OF MATERIALS RELATING TO THE 100TH ANNIVERSARY OF THE COMMITTEE ON APPROPRIATIONS

Mr. HAYDEN submitted the following resolution (S. Res. 92); which was referred to the Committee on Rules and Administration:

Resolved, That there be printed, with illustrations, as a Senate document a compilation of materials entitled "Committee on Appropriations, United States Senate, One-hundredth Anniversary, 1867-1967", and that there be printed five thousand additional copies of such document for the use of the Committee on Appropriations.

MOUNTAIN PARK RECLAMATION PROJECT, IN SOUTHWESTERN OKLAHOMA

Mr. MONRONEY. Mr. President, I introduce for myself and the junior Senator from Oklahoma [Mr. HARRIS] for appropriate reference, a bill to authorize the Secretary of the Interior to construct, operate, and maintain the Mountain Park reclamation project in southwestern Oklahoma.

The project would be constructed by the Bureau of Reclamation. It would provide a municipal water supply for Altus and Snyder and the Altus Air Force Base. It would provide flood control and incidental recreation and fish and wildlife benefits.

Local and State governments affected are willing to meet all requirements of Federal law for reimbursement and repayment.

This project is in an area of our State generally deficient in both quality and quantity of water, and almost annually we suffer severe drought or floods. Therefore, it is necessary to completely develop the resources that are available if cities and towns and industries are to have adequate water supplies for present and future growth and if industries are to be attracted to the area.

Estimated construction costs of the various projects features are tabulated below. The costs are considered to reasonably represent January 1962 prices.

Stage 1 facilities.....	\$14,308,000
Mountain Park dam and reservoir.....	8,790,000
Aqueduct system.....	5,008,000
Fish and wildlife facilities.....	210,000
Recreation facilities.....	1,300,000
Stage II facilities.....	4,450,000
Bretch diversion dam.....	1,001,000
Bretch diversion canal.....	3,449,000
Total Federal project construction.....	18,758,000

¹ Does not include \$290,000 of non-Federal costs for accessory recreational facilities recommended by the National Park Service.

The average annual operation, maintenance, and replacement costs of the Federal works over the 60-year repayment period are estimated to be about \$56,200 based on prevailing prices. This amount envisions the operation of stage

I facilities over the 50-year period, with operation of stage II facilities beginning in the 19th year and also continuing through a 50th year. Repayment of stage II facilities would be completed 10 years after repayment of stage I. The plan contemplates the project organization would operate and maintain all project works except the recreational and fish and wildlife facilities. Operation and maintenance of the recreational facilities and the wildlife management area would be assumed by appropriate State entities without cost to the United States.

The annual economic Federal project costs are estimated, on the basis of the above, to average \$685,400 for a 100-year period of analysis.

The benefits assignable to project construction have been estimated to total about \$1,450,435 annually. Comparison of the evaluated benefits and the estimated annual costs indicate a benefit-cost ratio of 2.12 for a 100-year period.

Of the \$18,758,000 construction cost, \$13,383,000 is allocated to municipal water supply and is reimbursable with interest. The remaining \$5,375,000 is allocated to flood control recreation, and fish and wildlife and is considered nonreimbursable. These latter allocations are \$2,428,000, \$836,000, and \$2,111,000, respectively.

Of the \$13,383,000 in construction costs allocated to municipal water supply, \$10,437,000 is apportioned to Altus and Snyder. The remaining \$2,946,000 is apportioned to future demands under the provisions of the Water Supply Act of 1958.

I ask unanimous consent that a plan for the development of the Mountain Park project be printed in the RECORD at this point.

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

The bill (S. 1234) to authorize the Secretary of the Interior to construct, operate, and maintain the Mountain Park reclamation project, Oklahoma, and for other purposes, introduced by Mr. MONRONEY (for himself and Mr. HARRIS), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The plan of development presented by Mr. MONRONEY is as follows:

PLAN FOR DEVELOPMENT OF MOUNTAIN PARK PROJECT, OKLAHOMA

The Mountain Park project would divert a portion of the flows of Elk Creek into Otter Creek, both of which are tributaries of the North Fork of Red River in southwestern Oklahoma, regulate the combined flows to furnish needed municipal water supplies for the cities of Altus (including the Altus Air Force Base), and Snyder, Okla., and deliver those supplies to the cities. It would also provide additional municipal water supplies at the reservoir for anticipated future demands; substantial flood control benefits; desirable fish and wildlife benefits; and needed recreational opportunities.

The plan of development for the Mountain Park project represents the culmination of investigations which began with consideration by the Bureau of Reclamation (then the Reclamation Service) of a Mountain

Park reservoir on Otter Creek in 1903. Potentialities of the Elk and Otter Creek Basins were reported by the Arkansas-White, Red Basins Interagency Committee. A reconnaissance appraisal of the project was completed by the Bureau of Reclamation in October 1955. The detailed feasibility investigations are summarized in this report. The latter investigations have been conducted in full cooperation with the concerned local entities, State agencies, and other Federal agencies.

The plan of development contemplates, as a Federal project, (1) the construction of Bretch Diversion Dam on Elk Creek; (2) construction of Bretch Diversion canal to divert a portion of the flows of Elk Creek into Otter Creek; (3) construction of Mountain Park Dam and Reservoir on Otter Creek; (4) construction of an aqueduct system to deliver waters stored in the Mountain Park Reservoir to the cities of Altus and Snyder; (5) purchase of lands and construction of minimum basic recreational facilities at the Mountain Park Reservoir for recreational purposes; and (6) purchase and development of lands at that reservoir to mitigate upland game losses and enhance the waterfowl resources of the project area.

The conservation capacity included in Mountain Park Reservoir provides for the optimum development of the streamflows of Elk and Otter Creeks. This conforms to the declared policy of the State of Oklahoma that, to the extent practicable, project plans provide for maximum development of the available water resources.

The forecast municipal water supply demands and the available streamflow records indicate that Mountain Park Reservoir, developing only Otter Creek flows, could reasonably meet the project water requirements of Altus and Snyder for about 10 years. Thus, the plan of development contemplates stage construction in which the Bretch diversion dam and canal would be deferred for about 10 years, with consequent savings in interest and operation, maintenance and replacement costs.

Inclusion of the aqueduct system necessary to deliver waters stored in the Mountain Park Reservoir to the cities of Altus and Snyder resulted from an analysis of the financial status of those cities, which established that construction of the aqueduct system under private financing would probably not be feasible. Construction of the necessary water treatment and intricacy delivery systems would be the responsibility of the project cities.

Adequate storage capacity would be provided in the Mountain Park Reservoir, in accordance with the recommendations of the Corps of Engineers contained in the appended report of that agency, to fully control flood flows of Otter Creek at the damsite.

The plan of development contemplates purchase of the lands and construction of the minimum basic recreational facilities recommended by the National Park Service, as desirable for protection and accommodation of the visiting public. The contemplated minimum basic facilities would be provided at three sites around the reservoir. The plan contemplates that the additional accessory recreational facilities deemed by the National Park Service to be desirable to permit optimum recreational use of the reservoir would be provided at non-Federal expense. The National Park Service report is appended.

The plan of development also contemplates accomplishment of all measures, except maintenance of Snyder Lake, recommended by the Bureau of Sport Fisheries and Wildlife in the appended report of that agency, to provide the optimum project fish and wildlife benefits. Maintenance of Snyder Lake is considered impracticable because of construction difficulties and costs involved and the nominal fishery benefits which would result therefrom. The principal measures involved are purchase and develop-

ment of lands at the Mountain Park Reservoir to mitigate upland game losses and enhance waterfowl resources.

The Mountain Park project would provide the municipal water deliveries requested by the cities of Altus and Snyder. These deliveries would be supplemental to present sources of supply at Altus, and would provide the total requirement for Snyder.

Estimated construction costs of the various project features are tabulated below. The costs are considered to reasonably represent January 1962 prices.

Stage I facilities:	
Mountain Park Dam and Reservoir	\$8,790,000
Aqueduct system	5,008,000
Fish and wildlife facilities	210,000
Recreation facilities	1,300,000
Total	14,308,000
Stage II facilities:	
Bretch diversion dam	1,001,000
Bretch diversion canal	3,449,000
Total	4,450,000
Total Federal project construction costs	18,758,000

¹ Does not include \$290,000 of non-Federal costs for accessory recreational facilities recommended by the National Park Service.

The average annual operation, maintenance, and replacement costs of the Federal works over the 60-year repayment period are estimated to be about \$56,200 based on prevailing prices. This amount envisions the operation of stage I facilities over the 50-year period, with operation of stage II facilities beginning in the 10th year and also continuing through a 50th year. Repayment of stage II facilities would be complete 10 years after repayment of stage I. The plan contemplates the project organization would operate and maintain all project works except the recreational and fish and wildlife facilities. Operation and maintenance of the recreational facilities and the wildlife management area would be assumed by appropriate State entities without cost to the United States.

The annual economic Federal project costs are estimated, on the basis of the above, to average \$685,400 for a 100-year period of analysis.

The benefits assignable to project construction have been estimated to total about \$1,450,435 annually. Comparison of the evaluated benefits and the estimated annual costs indicate a benefit-cost ratio of 2.12 for a 100-year period.

Of the \$16,758,000 construction cost, \$13,383,000 is allocated to municipal water supply and is reimbursable with interest. The remaining \$5,375,000 is allocated to flood control, recreation and fish and wildlife and is considered nonreimbursable. These latter allocations are \$2,428,000, \$836,000, and \$2,111,000 respectively.

Of the \$13,383,000 in construction costs allocated to municipal water supply, \$10,437,000 is apportioned to Altus and Snyder. The remaining \$2,946,000 is apportioned to future demands under the provisions of the Water Supply Act of 1958.

Prior to construction, it would be necessary for Altus and Snyder to form a master conservancy district, authorized under the laws of Oklahoma, to execute a contract with the United States for repayment of the reimbursable costs apportioned to those cities, and for operation and maintenance of the appropriate project works. It is anticipated that supplemental contracts would be executed between the master conservancy district and the project cities concerning the water deliveries and repayment arrangements to prevail.

The repayment plan assumes that reimbursable municipal water supply costs apportioned to Altus and Snyder would be

repaid, with interest computed in this report at a rate of 2.936 percent, concurrent with payment of operation and maintenance costs, in variable annual installments which would increase from year to year, generally in proportion to the schedule of water deliveries adopted for the repayment period. Final determination of rate of interest to be paid will be made by the Secretary of the Treasury in accordance with provisions of the Water Supply Act. Deferral of interest for a period of 10 years on \$1,080,500 of cost apportioned to Altus and Snyder is provided for in accordance with the provisions of the Water Supply Act of 1958. On this basis, the cost of raw water to the matter conservancy district over the repayment period would average about 16 cents per thousand gallons.

The plan also assumes that repayment of reimbursable municipal water supply costs apportioned to future demands would be deferred until project water deliveries utilizing water reserved for future demands are first made.

The Mountain Park project is strongly supported by the project cities. Their governing bodies have submitted formal resolutions endorsing the plan of development, and expressing willingness to enter into negotiations directed toward the consummation of appropriate repayment contracts.

At the request of the project cities, and in accord with Oklahoma laws, the Secretary of the Interior requested withdrawal from further appropriation for use by the Mountain Park project of all unappropriated waters of Elk Creek above the point of diversion, and of Otter Creek above the Mountain Park damsite. By letter of May 4, 1955, the Oklahoma Water Resources Board (then the Oklahoma Planning and Resources Board) advised that these waters were withdrawn for the Mountain Park project.

The Oklahoma Water Resources Board, by letter dated July 3, 1962, concurred in the findings of this report; agreed to take the necessary actions to insure repayment to the United States of the water supply storage costs which are deferred as costs allocable to future water supply under the Water Supply Act of 1958, as amended by Public Law 87-88; and agreed to make, at the appropriate time, a hydrographic survey of Elk and Otter Creeks for the purpose of perfecting water rights in the basin, including the May 4, 1955, withdrawal of waters by the United States.

POSTAGE STAMP COMMEMORATING AMERIGO VESPUCCI

Mr. JAVITS. Mr. President, March 9 marks the birthday of Amerigo Vespucci, scholar, explorer, and geographer.

Born in the middle of the 15th century, Vespucci was the son of an influential and wealthy family active in commercial interests in Florence. After finishing his studies in the physical sciences, he went to Spain and found himself plunged into the exciting age of discovery and exploration. He was a friend of Columbus and made six voyages to the New World. His letters were not only literary successes of that time, but also give valuable information on early explorations and mapmaking.

Today, one third of the globe's land surface carries his name, from Alaska to Tierra del Fuego. It would be fitting for the United States to honor his memory in a special way, and I therefore introduce, on behalf of myself and the junior Senator from New Jersey [Mr. WILLIAMS], a bill calling upon the Post Office Department to issue a special stamp commemorating Amerigo Vespucci.

The PRESIDING OFFICER. The bill

will be received and appropriately referred.

The bill (S. 1238) to provide for the issuance of a special series of postage stamps in honor of Amerigo Vespucci, introduced by Mr. JAVITS (for himself and Mr. WILLIAMS of New Jersey), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

TAX DEDUCTION FOR THE HANDICAPPED

Mr. JAVITS. Mr. President, for myself and the Senator from Missouri [Mr. LONG], I introduce a bill to provide the disabled an income tax deduction of up to \$600 to cover transportation to and from work, and to allow them the same additional \$600 income tax deduction as is now given the blind.

It is estimated that some 300,000 disabled persons would qualify under this legislation, at a maximum cost to the Government of \$40 million. This cost seems small when we consider the average cost of from \$479 to \$544 to rehabilitate each disabled individual. What we will be doing through this legislation is helping these people to help themselves and aiding them to achieve some personal independence from institutions, from overburdened families, and from local and State governments.

Our handicapped citizens are capable of being productive workers, contributing to the Nation's economy instead of being dependent upon it. But their disabilities impose upon them additional expenses in pursuit of their livelihoods which are not fully tax deductible, such as special orthopedic devices; extra travel costs because they are unable to utilize routine methods of transportation; expensive additions to office, shop, or home to facilitate their movements; special prosthetic devices; higher insurance costs, and the costs of hiring help to perform the simple tasks which the nonhandicapped perform for themselves. In addition, rising costs are particularly burdensome. For example, the prices of some special orthopedic shoes needed by the disabled have doubled in the past year.

Under this bill, the disabled taxpayer, in order to qualify for the additional \$600 exemption, must suffer from a loss of one or more extremities or 50 percent or more loss of ability as defined under the Schedule for Rating Disabilities of the Veterans' Administration. In addition, both the blind and the disabled would qualify for the tax deduction of up to \$600 for expenses of going to and from work.

Last year, some 30 governors indicated to the Joint Handicapped Council their support of this proposal. It has had editorial support ranging from the New York Times to the Progressive Farmer. Endorsements also include the AFL-CIO, the VFW, the General Federation of Womens Clubs, the National Association of Social Workers, and the National Council of Churches of Christ. This measure is similar with the bill I introduced last year, S. 3304, and a successor to similar legislation which I first

introduced in February 1950, in the 81st Congress, as a Member then of the House of Representatives.

The prospects for this bill seem especially bright now. Hundreds of thousands of Americans have endeavored valiantly to transform their physical handicaps from stumbling blocks to building blocks. They wish to use their crutches to move on, not to lean on. This legislation will help them do just that. It is as hard-nosed and practical in economic terms as it is humanitarian. It is, in effect, a practical bill to benefit those who have no alternative than but to be practical.

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

The bill (S. 1239) to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled, introduced by Mr. JAVITS (for himself and Mr. LONG of Missouri), was received, read twice by its title, and referred to the Committee on Finance.

CERTAIN CONSTRUCTION AT MILITARY INSTALLATIONS

Mr. RUSSELL. Mr. President, by request, for myself and the senior Senator from Maine [Mrs. SMITH], I introduce, for appropriate reference, a bill to authorize certain construction at military installations and for other purposes.

I ask unanimous consent that a letter of transmittal from the Department of Defense requesting introduction of the legislation and explaining its purpose be printed in the RECORD immediately following the listing of the bill.

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

The bill (S. 1241) to authorize certain construction at military installations, and for other purposes, introduced by Mr. RUSSELL (for himself and Mrs. SMITH), by request, was received, read twice by its title, and referred to the Committee on Armed Services.

The letter of transmittal presented by Mr. RUSSELL is as follows:

THE SECRETARY OF DEFENSE,
Washington, March 9, 1967.

HON. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft of legislation "To authorize certain construction at military installations and for other purposes."

This proposal is a part of the Department of Defense legislative program for 1967. The Bureau of the Budget advises that its enactment would be in accordance with the program of the President.

This legislation would authorize military construction needed by the Department of Defense at this time, and would provide additional authority to cover deficiencies in essential construction previously authorized. Appropriations in support of this legislation are provided for in the Budget of the United States Government for the Fiscal Year 1968. Titles I, II, III, IV, and V of this proposal

would authorize for the active forces \$1,802,938,000 for new construction as follows:

a. For requirements other than those for Southeast Asia activities, \$1,706,810,000, of which \$418,469,000 are for the Department of the Army, \$545,581,000 for the Department of the Navy, \$523,760,000 for the Department of the Air Force, and \$219,000,000 for the Defense Agencies in Titles I, II, III, and IV respectively.

b. For requirements in support of Southeast Asia activities, \$96,128,000, of which \$40,864,000 are for the Department of the Army, \$21,264,000 for the Department of the Navy, and \$34,000,000 for the Department of the Air Force, all in Title V.

Title VI contains legislative recommendations considered necessary to implement the Department of Defense family housing program and authorizes \$787,000,000 for all costs of that program for FY 1968.

Title VII requests authorization for appropriation of \$27,000,000 for homeowners assistance in base closure areas.

Title VIII contains General Provisions generally applicable to the Military Construction Program.

Title IX, totaling \$18,300,000, would authorize construction for the Reserve Components, of which \$4,500,000 are for the Naval and Marine Corps Reserves, \$9,800,000 for the Air National Guard, and \$4,000,000 for the Air Force Reserve. These authorizations are in lump sum amounts in accordance with the amendments to chapter 133, title 10, United States Code, which were enacted in Public Law 87-554.

Sincerely,

ROBERT S. McNAMARA.

CONSTRUCTION, OPERATION, AND MAINTENANCE OF THE COLORADO RIVER BASIN PROJECT

Mr. ALLOTT. Mr. President, I send to the desk on behalf of myself and Senator DOMINICK, a bill to authorize the construction, operation, and maintenance of the Colorado River Basin project, and ask that it be appropriately referred.

The bill authorizes the construction of the central Arizona project with an aqueduct capacity of 2,500 cubic feet of water per second. It also authorizes the construction of the Hualapai Dam at the originally proposed height and site, and the construction of five participating projects in the Upper Colorado River Basin. The five projects are: the Animas-La Plata in Colorado and New Mexico; the Dolores, Dallas Creek, West Divide, and San Miguel, all of which are in Colorado.

The bill is very similar to a bill introduced by Chairman ASPINALL in the House of Representatives. There are two major differences between my bill and Mr. ASPINALL's bill, H.R. 3300. First, my bill omits the provisions relating to the establishment of the National Water Commission. This was done because the Senate has already acted upon legislation for the creation of the National Water Commission. However, the Senate should have placed a priority on this Commission, and set a time certain for the completion of its study of water needs in the Colorado River Basin, and I so stated in my additional views to the committee report on the legislation.

The second major difference is that my bill requires the completion of a feasibility study on the importation of water from sources outside the Colorado River

Basin, providing that the required reconnaissance report indicates a supply of water surplus to the needs of the area of origin, and also providing that benefits exceed costs and that repayment can be made.

In other words, what this provision says, in effect, is that if the Secretary finds a source of water which is not needed by the area of origin, that due to the recognized shortage of water in the Colorado River Basin, the Secretary should not delay the commencement of a feasibility report upon which Congress can base its decision as to whether the proposal should be authorized. Congress will, of course, be the final judge as to whether any importation works should be constructed, but to delay the necessary investigation which will make available to Congress the necessary information upon which to base its decision has no justification. Therefore, my bill authorizes this more detailed study, providing that the preliminary reconnaissance investigation is favorable.

There is another minor modification to section 305(a), which is in the nature of a perfecting amendment. This subsection deals with California's guarantee of 4.4 million acre-feet of water per year, and I have added the following qualifying sentence:

Nothing herein shall be construed to alter, amend, repeal, modify, or be in conflict with the agreement required by Section 4(a) of the Boulder Canyon Project Act (45 Statutes 1057) and made by the State of California by act of its legislature (Chapter 16, California Statutes 1929, p. 38) so far as the benefits of said agreement are conferred upon the States of Colorado, Nevada, New Mexico, Utah, and Wyoming.

Mr. President, my colleague, Senator DOMINICK and I are also sponsoring a bill which will expand the Grand Canyon National Park to include essentially all of the 60 miles of land and river between the present east boundary of the park and Glen Canyon Dam, which includes Marble Canyon. It also expands the park westward to include portions of the Vermillion Cliffs. The Lake Mead Recreation Area is also greatly expanded and would include the Grand Canyon National Monument and all of the lake to be formed by the Hualapai Dam, including that part of the shoreline which would be within the present boundaries of the park—a narrow strip, approximately 13 miles long. This would constitute a solution for those who believe that a harmful precedent would be set by the lake's intrusion on the park, since that precedent would not be set if action is taken on both of these bills.

The area now constituting the Grand Canyon National Monument, which would be transferred to the Lake Mead Recreation Area, would still retain its protection from any mining activity.

It is my intention that the water development bill be first considered, and that immediately upon favorable action on it that the bill expanding the Grand Canyon National Park should be taken up and expeditiously acted upon.

The two bills taken together represent a real solution to the proponents of true conservation. For true conservation

does not mean simply preservation, it must also include the "wise use" of our resources. To preserve simply for the sake of preservation is meaningless since it lacks purpose, but to conserve for "wise use" is meaningful since its purpose is to make the blessings of God more abundant to man. Preservation for preservation's sake alone may amount to waste, and waste is the very antithesis of conservation.

As a longtime proponent of conservation, I recommend this approach to others who share my belief that in this era of "exploding populations" we can little afford to waste resources so necessary to our economy and the needs of our people.

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

The bill (S. 1242) to authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes, introduced by Mr. ALLOTT (for himself and Mr. DOMINICK), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

REVISION OF THE BOUNDARIES OF THE GRAND CANYON NATIONAL PARK

Mr. DOMINICK. Mr. President, my colleague from Colorado [Mr. ALLOTT] and I are introducing today a package plan for the development and use of the Colorado River Basin and Grand Canyon National Park. The measures we propose are similar to legislation which has already been introduced in the House of Representatives by Chairman ASPINALL and would provide for both the construction and development of the Colorado River Basin projects and a significant expansion of the Grand Canyon National Park to include new and beautiful recreation areas. This plan will not only allow for the economic development and beneficial use of water in the Colorado River but will embrace some of our country's most beautiful natural scenery within the confines of the Grand Canyon National Park.

The bill which has just been introduced by Senator ALLOTT will allow the Secretary to make a reconnaissance report on the importation of water into the Colorado River Basin and if the report is favorable, to make a companion feasibility study which will be submitted to Congress. The bill authorizes the construction of the central Arizona project and the dam within Bridge Canyon. In addition, a development fund will be created and funded by revenue from the Hoover, Davis, Parker, and Hualapai Dams, and these revenues would be used to finance the cost of importing water and to assist in the repayment of the central Arizona project. The bill would also allow for the construction of five water storage projects in Colorado.

The second bill, which our plan encompasses is a great step forward in the preservation and conservation of the famous areas within and near the present Grand Canyon National Park. The bill allows for the extension of the pres-

ent park to the south, north, and west. The final product would be a park and recreation area approximately 375 miles long, following the Colorado River.

The Vermillion Cliffs formation, to the west of the present park, is an example of a beautiful but unprotected area to be included within the confines of the new park. The addition of these lands will contribute over 80,000 acres to the present park and will not only be a significant contribution to the preservation of some of our country's most precious and awe-inspiring scenery but will allow the development of some of our most promising new recreational areas.

Mr. President, I now send to the desk on behalf of myself and Senator ALLOTT, a bill to revise the boundaries of the Grand Canyon National Park and ask that it be appropriately referred.

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

The bill (S. 1243) to revise the boundaries of the Grand Canyon National Park, and for other purposes, introduced by Mr. DOMINICK (for himself and Mr. ALLOTT), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

PROPOSED LEGISLATION RELATING TO THE USE AND RENTAL OF PUBLIC SPACE AND AIRSPACE IN THE DISTRICT OF COLUMBIA

Mr. TYDINGS. Mr. President, I introduce, for appropriate reference, three bills relating to the use and rental of public space and airspace in the District of Columbia. The first of these bills would grant authority to the District of Columbia Commissioners to lease airspace over and under freeways.

Today we are literally wasting miles of invaluable space over and under freeways in the District of Columbia. As the highway construction program progresses, more space will be wasted unless this legislation is enacted. The space around freeways must be used so that freeways are not eyesores in the community. The space around freeways must be used for new housing and construction of unified neighborhoods to replace the housing destroyed by freeway construction and to insure that freeways do not cut through and fragment traditional neighborhoods. The space around freeways must be used to replace tax revenues which are lost by removing freeway lands from the tax rolls. The bill I propose today will make all this possible.

Enactment of this bill will permit the District of Columbia to take another step forward toward achieving a truly balanced transportation system—by permitting us to use highways not only as strips of concrete to drive on at maximum speed, but also as stationary objects to live with at maximum comfort and beauty. The freeway program should be a positive instrument of urban renewal in the District of Columbia—not a program at odds with urban renewal.

Recently, the plans for the north central leg of the Washington Freeway sys-

tem were published, and although parts of the freeway were recessed, and designed to harmonize with surrounding neighborhoods, no use was made of the space over the freeways. It was announced that no use could be planned until the Commissioners had clear authority for such use of freeway airspace. There is thus some urgency in securing passage of this legislation. Although, as I understand it, the District government intends to propose legislation similar to the bill I introduce today, I believe we must get the legislative processes moving as quickly as possible on this matter. The planning of the freeway program is going ahead—and options to use freeway airspace are rapidly closing on us.

The bill I propose requires that, in determining what use should be made of freeway airspace, the Commissioners must first determine whether the space is needed for municipal purposes such as housing for low-income families, park or recreational facilities, vehicle parking facilities, or public works. If the space is not needed for such municipal purposes, the Commissioners may make it available, in order of priority, to the National Capital Housing Authority for low-income housing, to the Federal Government for Federal facilities, to public or private developers of low- or moderate-income housing, to nonprofit corporations such as hospitals, or to private businesses.

The second bill I am introducing authorizes the District of Columbia Commissioners to use or to rent space over, on, and under public streets, other than freeways. This bill will also provide a useful and flexible instrument for urban renewal. One obvious beneficiary of the bill is the central business district of the city. Under the bill, private businesses might join together to construct pedestrian malls above city streets, which would permit vehicular traffic to move unimpeded while pedestrians strolled and shopped above.

Older residential neighborhoods are another obvious beneficiary. Wide spans might be built across heavily traveled streets to create space for recreation areas, and for public facilities generally which could unify residential neighborhoods by creating focal points of social activities and public services. Today we are failing to develop the full potential of the space around our city streets. This bill is the first step to ending that waste.

The third bill I am introducing authorizes the Commissioners to issue regulations to fix and collect rents for private use of public space on, over, or under the streets. Today many private businesses are making quite profitable use of public space, for example, under public streets for fuel storage or other purposes and on the streets for outdoor restaurants. I am in favor of continuing and expanding such private use of public space. But I believe the public should share equitably in the profits gained from the use of public space. This bill would permit the District Commissioners to establish rents so that the public would receive its fair share of the profits made.

The PRESIDING OFFICER. The

bills will be received and appropriately referred.

The bills, introduced by Mr. TYDINGS, were received, read twice by their titles, and referred to the Committee on the District of Columbia, as follows:

S. 1245. A bill to authorize the Commissioners of the District of Columbia to lease airspace above and below freeway rights-of-way within the District of Columbia, and for other purposes;

S. 1246. A bill to authorize the Commissioners of the District of Columbia to enter into leases for the rental of, or to use or permit the use of, public space in, on, over, and under the streets and alleys under their jurisdiction, other than freeways, and for other purposes; and

S. 1247. A bill to authorize the Commissioners of the District of Columbia to fix and collect rents for the occupancy of space in, on, under, or over the streets of the District of Columbia, to authorize the closing of unused or unsafe vaults under said streets and the correction of dangerous conditions of vaults in or vault openings on public space, and for other purposes.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Mr. INOUE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Pennsylvania [Mr. CLARK] be added as a cosponsor of the 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. KUCHEL. Mr. President, I ask unanimous consent that, at its next printing, my name 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. MANSFIELD. Mr. President, on behalf of the Senator from Arkansas [Mr. McCLELLAN], I ask unanimous consent that, at the next printing, the following colleagues be listed as cosponsors on these bills: Senator BREWSTER and Senator FONG on S. 917, a bill to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes; Senator FONG on S. 915, a bill to provide for the establishment of a Federal Judicial Center, and S. 916, a bill to assist in combating crime by creating the U.S. Corrections Service; and Senator TYDINGS on S. 798, a bill to provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes.

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

Mr. MOSS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Hawaii [Mr. FONG] be added as a cosponsor of the bill (S. 479) to provide for the flying of the American flag over the remains of the U.S.S. *Utah* in honor of the heroic men who were entombed in her hull on December 7, 1941.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Oklahoma [Mr. HARRIS] be added as a cosponsor of the bill (S. 1104) to promote public confidence in the integrity of Congress and the executive branch.

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

Mr. HOLLAND. Mr. President, I ask unanimous consent that at the next printing of 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 name of the Senator from Hawaii [Mr. FONG] be added as a cosponsor.

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

NOTICE OF HEARING FOR AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR THE SALINE WATER CONVERSION PROGRAM

Mr. JACKSON. Mr. President, I would like to take this opportunity to announce that the hearing date on S. 1101, a bill to authorize additional appropriations for the saline water conversion program, has been changed from April 3 to Friday, March 17, 1967, at 10 a.m., in room 3110, New Senate Office Building.

Anyone interested in testifying is requested to advise the Interior and Insular Affairs Committee.

NOTICE OF HEARINGS RELATING TO ESTABLISHMENT OF SELECT COMMITTEE ON TECHNOLOGY AND THE HUMAN ENVIRONMENT

Mr. MANSFIELD (for Senator MUSKIE). Mr. President, I would like to announce for the information of the Senate and other interested persons that the Senate Subcommittee on Intergovernmental Relations has scheduled hearings on Senate Resolution 68, to establish a Senate Select Committee on Technology and the Human Environment.

The hearings will be held on Wednesday, March 15; Thursday, March 16; and Monday, March 20, beginning at 9:30 a.m., in room 1114, New Senate Office Building. Leading off a most distinguished panel of witnesses on the 15th will be Dr. Donald F. Hornig, Director, Office of Science and Technology, Executive Office of the President; followed by Dr. Joseph L. Fisher, president, Resources for the Future, Inc.; and Dr. Detlev Bronk, president of Rockefeller University.

On March 16, the subcommittee will hear Dr. Howard R. Bowen, president of the University of Iowa; Dean Don K. Price, School of Public Administration, Harvard University; and Dr. Harrison Brown, head of the Division of Geological Sciences, California Institute of Technology.

On March 20, the witnesses will be Dr. Glenn T. Seaborg, Chairman, Atomic Energy Commission; Mr. Jack Conway, executive director, Industrial Union De-

partment, AFL-CIO; Prof. Donald Michael, Center for the Application and Utilization of Scientific Knowledge; and Dr. Leland J. Haworth, director, National Science Foundation.

**MESSAGE FROM THE HOUSE—
ENROLLED BILL SIGNED**

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled 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, and it was signed by the Vice President.

**ENROLLED JOINT RESOLUTION
SIGNED**

The **PRESIDING OFFICER** announced that on today, March 9, 1967, the Vice President announced that on today, he had signed the joint resolution (S.J. Res. 4) authorizing the President to proclaim "National CARIH Asthma Week," which had previously been signed by the Speaker of the House of Representatives.

**ADDRESSES, EDITORIALS, ARTICLES,
ETC., PRINTED IN THE RECORD**

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. GRIFFIN:

Statement of congratulations by him in observance of 25th anniversary of the Jewish News, Detroit, Mich.

**JEC STUDY OF CHINESE ECON-
OMY SHOWS SURPRISING WEAK-
NESSES**

Mr. PROXMIRE. Mr. President, earlier this week the Joint Economic Committee released a study on the Communist Chinese economy. This study was the result of an excellent suggestion made last year by the senior Senate Republican on the committee, the Senator from New York [Mr. JAVITS]. The wisdom of this suggestion is now becoming apparent, as attested to by a number of newspaper articles on the study which I will insert at the conclusion of my remarks.

The articles highlight some of the conclusions reached by the 20 China experts who contributed to the study—conclusions that undoubtedly will come as a great surprise to those not intimately acquainted with mainland China's economy. From the standpoint of China as a threat to peace, the most encouraging information disclosed by the study has to do with the startling weakness of the Chinese economy. Communist China, the study indicates, is one of the few countries in the world which has made virtually no progress in the years since 1958. In that year, the Chinese gross national product hit a peak of 108 billion

yuan, a level which it did not attain again until 1965. Thus, the Chinese threat may well have been overestimated by many.

Furthermore, although the present small arms and construction assistance to North Vietnam can be sustained by the Chinese economy, the country is not in a position, according to the study, to supply sophisticated weapons of the type the Russians are providing.

Joint Economic Committee hearings on the Chinese economy will begin next month. I hope that they will further amplify many of the points made by the study papers.

At this time I ask unanimous consent to include in the RECORD comments on the study appearing in the Washington Post, Washington Star, and New York Times.

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

[From the Washington (D.C.) Star,
Mar. 5, 1967]

**PEKING FOUND UNHURT BY ITS HELP
TO HANOI**

(By Bernard Gwertzman)

Red China's military aid to North Vietnam can continue indefinitely without seriously disrupting Peking's economy, a major congressional study asserts.

"In spite of the steep rise in military activities in Vietnam . . . there is no evidence of strain on the basic economic resources of China," the two-volume report on the nation's economy says.

The report, compiled by a score of scholars and government and non-government organizations, was released last night by the Joint Economic Committee of Congress, headed by Sen. William Proxmire, D-Wis.

"The kind of support that China has given to North Vietnam in this conflict has involved, chiefly, large quantities of small arms. Beyond that to be sure, it was required to provide rail transport, presumably on a regular payment basis, for Soviet shipments of military supplies, chiefly air defense equipment," the report continued.

ENGINEERING TROOPS ALSO

"Another contribution by China to the war has taken the form of sizable numbers of engineering troops to assist in the building and repair of roads, bridges, and rail lines in North Vietnam.

"On the whole, the effort made thus far in connection with the war has been low in cost, and has, by and large, drawn on the kind of resources in which China has a comparative advantage," it said.

The report said, however, that if China had to supply large supplies of sophisticated weapons—such as are now supplied by the Russians—"such an increased effort could not conceivably be made without endangering the already precarious balance in the economy between available resources and irreducible needs."

In general, the report concluded that the military establishment does not cost the Peking regime as much as the continuing dislocation of industry and agriculture by periodic changes in policy and by the cultural revolution currently taking place in the countryside.

A-WEAPONS AT TOP

But the report anticipates that in the next five years, top priority will be given to nuclear weapons and their means of delivery—a view held also by the Defense Department.

The key question, however, is whether the economy will grow gradually, continually assimilating new technology from Japan

and the West, or will be forced into another Great Leap Forward, which could lead to another economic disaster similar to the one in 1960-61 following the first Great Leap.

One of the "staggering economic problems" facing China, the report said, is the search for a balance between the rapidly growing population, and the limited supply of arable land.

China accounts for 25 percent of the world's population, but contains only 7.8 percent of the world's cultivated land. This means there is only .35 acres per inhabitant, compared with 1.9 acres in the United States.

TWO CHOICES OBVIOUS

There have been two obvious choices facing China's planners—to either develop more arable land, or to intensify the land now under cultivation.

The lands in West China where additional acreage can be found has "unfavorable soil and climate conditions," and the alternate policy of intensification calls for additional, expensive investments, which would further strain China's limited resources, the report says.

China's industry is faced also with investment problems—primarily over how much of the resources to spend in the military sector, an issue still not resolved.

The consumer goods industry is expected to continue to receive a small share of investments, and the total growth rate for industry is calculated at 5 percent a year for the next few years.

One of the problems in making this study, the committee found, was the lack of statistics after 1960.

[From the New York Times, Mar. 7, 1967]
**CHINESE ECONOMY IS FOUND LAGGING—U.S.
EXPERTS SAY OUTPUT IS BELOW 1960 LEVELS**

(By Harry Schwartz)

A report by United States Government and academic experts has found that Communist China's economy has lost much ground in the nineteen-sixties, and that the prospects for substantial improvement in the years immediately ahead are poor.

These conclusions emerge from a symposium on the Chinese economy made public by the Joint Economic Committee of Congress. Titled "An Economic Profile of Mainland China," the symposium's reports give the most comprehensive survey of the Chinese economic situation ever published in English.

Several of the articles raise the possibility that China may suffer economic retrogression in the period immediately ahead because of disruption caused by the Cultural Revolution.

The darkest prospects appear to exist in agriculture where, according to Marlon R. Yarsen of the Department of Agriculture, the food situation was tight even before recent disorders. "A serious decline in the agricultural sector" could result if recent political unrest persists into the period of farm work, according to the report.

PAPER BY CIA MEN

A review of China's industry concludes that the country will be fortunate if it is able to regain the 1960 peak of industrial production by 1970. The author, Dr. Robert M. Field of the Central Intelligence Agency, concludes that at best by 1970 the Peking regime's "misguided economic policies . . . will have cost China a full decade's industrial growth."

Dr. Field expects slow Chinese industrial growth in the coming years because of the continuing drain of China's atomic and other weapons programs on resources needed for heavy industry and because consumer goods production depends upon output in agriculture where substantial production increases are unlikely.

The common thread running through the articles is agreement that China is still paying heavily for the mistakes made when it overextended itself during the period of the Great Leap Forward during 1958-60. The consequence was a sharp decline in industrial and agricultural output during the early nineteen sixties, followed by a slow recovery that has not yet brought China back to the peak levels reached almost a decade ago.

OTHER LANDS SHOW GROWTH

While China's recovery has been slow, other countries have been increasing their output rapidly. Data presented by Dr. Field, for example, indicate that India's industrial output rose about 40 per cent between 1960 and 1965, while China's industrial production was almost 20 per cent below the 1960 level in 1965.

The most impressive economic achievement described in symposium is the success achieved in modernizing military equipment. J. G. Godaire of the Central Intelligence Agency suggests that the stock of modern arms, based on domestic resources, may now be equal to the maximum domestic production of 1957-59 plus the value of the Soviet military aid given at that time.

Mr. Godaire comments that "domestic production of military equipment seems to have had priority over the production of civilian investment goods at considerable cost to the overall Chinese economic growth rate."

A picture of Chinese economic growth is presented by data on gross national product the total production of goods and services, by Prof. Ta-Chung Liu of Cornell University.

DATA ON CHINA'S GNP

Expressed in the Chinese monetary unit, the yuan, and in constant prices, the data indicate that the gross national product rose from 71.4 billion yuan in 1952 to a peak of 108 billion yuan in 1958. Then the gross national product fell to a low of 92.2 billion yuan in 1961 and finally reached the 1958 level once again in 1965. Yuan values cannot be easily expressed in dollar terms.

An alternative gross-national-product calculation in dollar terms is presented by Edwin F. Jones of the State Department. He estimates that the Chinese gross national product grew from about 65-billion in 1957 to \$73.3-billion in 1965, or just enough to keep per capita production, for a rising population, constant at \$101 annually.

In 1965, Mr. Jones estimates, output consisted of \$33.7-billion from agriculture, an 8 per cent gain over 1957; \$21.5-billion from industry, construction and transport, a 24 per cent increase over 1957; and \$18.1-billion from trade and services, a 10 per cent gain over 1957.

The Joint Economic Committee, an informed source said yesterday, intends to hold five days of hearings next month on the Chinese economy, hearing testimony on the papers just published as well as expert evaluations of national policy.

[From the Washington Post, Mar. 8, 1967]

PROFITIOUS MOMENT

Mao Tse-tung, Communist China's "master helmsman," has changed course. Just as his Cultural Revolution threatened to utterly rend the economy and provoke widespread civil war and provincial disintegration, he began to retreat. Whether his own sense or the power of his foes compelled the turn is less important than the apparent fact that the Cultural Revolution is subsiding. Mao's doctrine of progress by inspiration and sacrifice has, clearly, failed.

A movement catching up a whole nation inevitably has many causes and defies the patterns which either its makers or critics would lay upon it. Mao's giant ego and his grandiose vision of China's future doubtless

played a part in the Cultural Revolution, and so did the hidden machinations of Chinese politics, and the pressures of security and pride generated by Peking's disputes with the Soviet Union and the United States.

But the central impulse and the central issue was how to modernize China and enable it to feed and serve itself, to make its way in the world, and to sustain its self-image of grandeur. For a nation with China's heritage of humiliation, and its ambition, this was and is the truly pressing national question. For Mao personally, it has been since the Chinese revolution the central question of his rule.

As the Joint Economic Committee's fine new study "An Economic Profile of Mainland China" makes evident Mao pushed the pedal to the floor in 1958 with his Great Leap Forward. But instead of spurting forward, the economy stalled out. Only now is it regaining the 1958 level. Another way of stating this proposition is that Mao, in his desperation and impatience, wasted a full decade of China's development.

Seemingly that experience would have taught him the folly of a frenzied arbitrary approach to growth. However, as Mao observed the so-called economic rationalists who took over after the Leap, he became convinced their prescriptions would not insure China the growth to match its inflated hopes and expanding population. To him the dilemma could hardly have been more stark: haste meant waste, yet caution meant inadequacy. It was hardly surprising that an old willful revolutionary in his 70s should make one last lunge toward the China of his dreams. Such was the Cultural Revolution.

The meaning of its abatement is not just that the bureaucrats and rationalists, associated with Chou En-lai, have won the day. If China's choice were merely between political frenzy and economic progress Peking would have no problem at all. The true meaning is that the Cultural Revolution has left the issue of development even more raw and unresolved than before that grotesque campaign began. The avenue of exhortation and forced-draft discipline has been foreclosed. But the avenue of safe rational progress is no more promising either.

China's quest is not at an end. Its efforts to become a great power mainly on the basis of its own resources has collapsed. Its need now is to look for help to the outside world. The most likely place to look is the Soviet Union; cooperation with Moscow supported Peking's considerable pre-Leap progress. The question is whether their political hostility can be tamed to the extent necessary to resume important economic ties.

This is an extremely delicate time for American policy. As the Russians have nervously sensed, Peking in its weakness is particularly receptive to arrangement with Washington that would reduce tension and provide a sort of breathing spell in East Asia. The failure of the Cultural Revolution cannot itself have failed to shake Peking and make it uncertain of its future course. It is a propitious moment to assay the small steps with which America's eventual reconciliation with China must begin.

CONGRESS SHOULD PROMPTLY RESTORE THE INVESTMENT CREDIT

Mr. PROXMIRE. Mr. President, a front-page story in the New York Times this morning reports the results of a study by the Department of Commerce and the Securities and Exchange Commission of business plans to invest in plant and equipment during the remainder of the year.

The study shows that business will invest even less than an earlier McGraw-Hill survey which disclosed a sharp fall-

off in the rate of gain of business investment from the rapid increase over the past 3 years.

For the past 3 years economic growth has been largely fueled by an extraordinary growth in this accelerating factor in the economy—business investment in plant and equipment.

For each of these years the gain had been from 14 percent to nearly 17 percent over the preceding year.

This year, the latest survey shows, the gain will slow down to about 4 percent.

But this tells only part of the story. The pattern of investment is expected to show a marked slowdown in the first half of the year, followed by a relative speedup in the last half.

Now, Mr. President, this may be possible, but it is very unlikely, indeed, unless Congress repeals the present suspension of the investment credit.

Certainly, some businesses may go ahead with their plans to invest, regardless of the investment credit consequences; but thousands of businesses, large and small, will defer that investment come late next summer and fall, when they recognize that such deferral will bring them an increase in net profits of 7 percent of their entire capital investment.

A firm planning to invest a hundred million dollars in the last half of the year could pick up a profit of \$7 million by simply waiting until January 1.

There is one other danger signal here. As the New York Times points out, although there are some exceptions, the usual pattern of investment spending nationally is that once it slows down, it is likely to stay down, and not to rebound for many months or even years.

Under these circumstances, it is most logical for Congress to consider now—not next June or next fall, but now—the restoration of the suspended investment credit.

American business needs it. The turnaround in indicator after indicator suggests we need it. And doing nothing—that is, letting the suspension run until January 1, as the law now provides—might turn into a recession-provoking blunder.

I ask unanimous consent that the article from the New York Times, reporting the expected slowdown in the rate of business investment gain, be printed in the RECORD at this point.

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

BUSINESS SPENDING IN UNITED STATES TO SLACKEN, SURVEY FINDS—GOVERNMENT REPORT POINTS TO SLOWDOWN IN OUTLAYS FOR PLANTS AND EQUIPMENT IN FIRST HALF, WITH RISE LATER IN 1967

(By Eileen Shanahan)

WASHINGTON, March 8.—Business spending on new plants and equipment was added today to the lengthening list of signs of a general slowdown in the economy this year.

A Government survey of business investment plans—a key indicator of future economic trends—showed that business expected their outlays for new plants and equipment to turn down slightly in the first half of this year. For the year as a whole, outlays are expected to rise only 3.9 per cent from the 1966 total.

The survey, conducted by the Department of Commerce and the Securities and Exchange Commission, had been anxiously awaited by both Government and business, not only as a clue to the economic outlook but also as a guide to Government tax policy.

It was not immediately clear, however, whether the prospective sluggishness in business investment would be considered significant enough by the Administration to justify a request to the Congress for restoration of the 7 per cent tax bonus on business outlays for equipment. The special tax credit was temporarily repealed by the Congress last fall at the Administration's request, and is not scheduled for restoration until next January.

The expected increase of 4 per cent in business investment for 1967 is appreciably less than the 6 per cent rise that was forecast at the start of the year by McGraw-Hill, Inc., the trade publishing organization, which conducts one of the leading private surveys of business spending plans.

Government officials had made no secret of their hopes that the McGraw-Hill figure would be confirmed by the Government's survey.

In addition to the smallness of the expected rise in business investment outlays—the 4 per cent foreseen for this year contrasts with a 16½ per cent rise in 1966—economists also saw reason for concern in the predicted downturn in investment in the first two quarters of this year.

A downturn for two quarters and then a rebound—which is the pattern the survey predicts—is extremely unusual although not unprecedented. Such a dip in investment, limited to two quarters, occurred in 1952 and 1962. It is more usual, however, for business investment to decline over a considerably longer period, once it starts heading down.

ANNUAL RATES GIVEN

The survey showed that actual business outlays for new plants and equipment were at an annual rate of \$62.8-billion in the final quarter of last year.

Outlays on an annual basis for the first quarter are expected to dip to \$62.6-billion and to drop further for the second quarter to \$62.25-billion. For the second half of this year, expenditures are forecast at an annual rate of \$63.65-billion.

For 1967 as a whole, the expected outlays work out to a total expenditure of \$63-billion, which is essentially unchanged from the level for the fourth quarter of last year.

Business investment outlays for all of 1966 totaled \$60.6-billion, the survey found.

MIXED PATTERN DISCERNED

The survey also disclosed a mixed pattern, by quarters, compared with the spending expectations disclosed by the Government's most recent previous survey of business spending, which was made last fall.

Actual investment in the fourth quarter of last year was slightly higher than anticipated by businessmen during the November survey. But planned outlays in the first and second quarters of this year were revised downward by 1½ and 3 per cent, respectively, from the earlier forecasts.

A pattern of downward revisions of earlier expectations has often preceded even larger cuts in actual investment outlays.

Government officials at the policy level declined to discuss the survey figures or what they might produce in Government action on taxes.

EARLIER THAN PLANNED

A Government move to restore the 7 per cent investment tax credit earlier than originally planned—if that is the decision—would not necessarily mean that the Administration would also scrap its request for a 6 per cent tax increase on all businesses and all but the lowest-paid individuals.

CONGRESS LEANING TOWARD ITS OWN PANEL ON DRAFT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD a column by Richard Wilson, entitled "Congress Leaning Toward Its Own Panel on Draft," which appeared in the Washington Evening Star of March 8, 1967.

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

CONGRESS LEANING TOWARD ITS OWN PANEL ON DRAFT

(By Richard Wilson)

Congress appears to be paying more attention to the report of its own civilian advisory panel on the draft than to President Johnson's commission. The argument doesn't center so much on drafting 19-year-olds first as on the proposed lottery-like random selection system, and college deferments.

The congressional advisory panel is dead set against the lottery system and abolishing college deferment. So are a good many influential Members of Congress and they may change the law before letting the President bring about any drastic change in the Selective Service System under his discretionary authority.

The Pandora's box has been opened and it is not at all unlikely that the draft system will end up in a complete mess after many years of successful administration by Lt. Gen. Lewis B. Hershey.

Hershey views what is going on coolly, but he is ready to carry out the orders of the President, while not commenting on the fairness of a lottery system that he has opposed.

Lotteries have been tried before without much success—in both the North and the South during the Civil War, in World War I, and a part of World War II. After these and other systems created more inequities than they eliminated, the present system was adopted. This system establishes date of birth as the sequence for operating selective service.

It should not be supposed that a lottery system will eliminate inequities. On the contrary such arbitrary and haphazard choice will inevitably select many young men who would be deferred if reason, justice and the national interest were the measures. From the pragmatic point of view, a lottery might keep out of the military service by luck men best adapted to it, and take into it men who showed no promise of being good soldiers. Inequities of this kind are implicit in any system.

College deferment seems to many to be an inequity, and it cannot be questioned that there have been noxious abuses of this privilege. But it is not true that the deferment of students has meant they have been protected from the draft or given favored treatment as a class. Sixty percent of the college group has served in the armed forces either as volunteers or inductees, compared to 57 percent of non-college students, according to the congressional civilian advisory panel.

In any large-scale war, where the national security was at stake, there would be little argument that certain classes of students—scientists, doctors, dentists and others—should be deferred until they had mastered their special disciplines that were imperative to the national interest. In those circumstances, this would also include many graduate students whose deferment Johnson has now revoked.

The congressional panel appears to have approached this matter in a more practical way than the President's commission. The congressional panel called for rightening up student deferment.

What underlies almost all the trouble about the draft right now is one simple fact: Under present conditions the supply of young men exceeds by far the needs of the armed forces. All those available and qualified for military service are not required for active duty.

The local draft boards have tried to bring reason and justice into the selection, faultily in some cases, but on the whole with a keen concern for the national interest as well as local conditions. The President's commission would wipe out these boards and replace them by no more than 500 area centers applying uniform policies of classification and appeal.

Hershey's view is that the concept of local draft boards "is built on a uniquely American belief—that local citizens can perform a valuable service to the government and at the same time personalize the government's procedures to a young man fulfilling one of his earliest and most serious obligations of citizenship."

Perhaps it is at this point that the proposed new system breaks with the old. It would replace the old personalized system with a computerized, unpersonalized selection by chance, and with little concern for the human judgment that has made the Selective Service System work pretty well the last 25 years.

The congressional panel on the draft contained men no less distinguished than the larger President's commission, although not so many who are popular in liberal circles. The more traditional and tried approach with all its errors appears to be carrying the heaviest weight in Congress.

THE CIA CONTROVERSY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD a column by David Lawrence, entitled "Damage to United States as Well as CIA Seen," which appeared in the Washington Evening Star of March 8, 1967.

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

DAMAGE TO UNITED STATES AS WELL AS CIA SEEN

(By David Lawrence)

Evidence is beginning to mount that those people who started to publicize CIA operations and criticize its practices didn't help the cause of the United States in its battle against Communist imperialism.

On the surface, it looked like a natural thing for some youngster in the ranks of a student organization to attract attention to himself by demanding an end to CIA subsidies of his group. No thought was given however, to the consequences of the exposure. Some newspaper dispatches crated the impression that something unethical and improper had been done by the government of the United States.

War, of course, is unethical in itself. Thus, to try to prevent a war by finding out what the enemy is doing involves surreptitious detective work and it is essential. But there are some critics who can say that even this is an invasion of somebody else's privacy.

Realistically speaking, the damage now has been done. The CIA has been given a body blow which can interfere with its effectiveness in future years. Throughout the world, where there are many intelligence systems, officials have watched with dismay and surprise the manner in which America's intelligence organization is being thwarted in its efforts to combat the Soviet operations in different parts of the world.

An intelligence officer who represents the

United States in some foreign countries had this to say recently to a representative of U.S. News & World Report:

"The U.S., not just the CIA, suffered a severe defeat in this thing.

"The U.S. still must fight to prevent the Communists from having all their own way in international meetings of students—or teachers, or scientists, journalists, labor unions, whatever.

"But now that the CIA cover has been 'blown,' the job will cost much more. And it will take a long time before any U.S. organization or group can regain the effectiveness that the National Student Association had.

"These students were not instructed how to act, except in a very few cases. Main reliance was on the American instincts and patriotism of almost all the students who were financially helped to attend."

Little did the Americans who criticized the CIA, both inside and outside of Congress, realize perhaps how penetrating is the Communist influence in Latin America, where at any moment trouble can be stirred up which can involve the United States in more wars. What is happening too, in the Eastern bloc of Communist countries in Europe is an example of how difficult it is for the United States to "build bridges" with those countries. Despite all the outward appearance of a growing friendliness and the talk about the advantages of consular treaties, the Warsaw government deliberately denied former Vice President Richard Nixon a visa to enter Poland.

Unfortunately, some members of the American press did not take into account the damage they were doing their own government in the kind of publicity they gave to the exposure of the CIA subsidies to student organizations. The impression conveyed was that the United States government was subsidizing students within the United States and attempting to interfere with their operations in this country.

Actually, the Central Intelligence Agency has no authority or jurisdiction over anything that happens within the United States. The whole purpose of the CIA is to get information from foreign countries and to help American students who travel abroad to present the American point of view and learn what the Communist imperialists are saying and doing in student gatherings.

Now that student organizations have been held up to public criticism, doubtless these same youth groups will find more difficulties abroad. They will be suspected of representing the government, and they will have a problem in trying to prove that they are independent of governmental influence and subsidies. All this could have been avoided if the CIA had been given in a Cold War operation the same patriotic support that a military force receives at all times.

U.S. POLICY TOWARD EUROPE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD a column by William H. Stringer, entitled "U.S. Policy Toward Europe," which appeared in the Christian Science Monitor of March 7, 1967.

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

U.S. POLICY TOWARD EUROPE

(By William H. Stringer)

LONDON.—The United States is giving more careful and detailed attention to Europe than the headlines, or some of the calamity-howlers in Britain would suggest.

Washington's policy has had a poor press

in London at various times lately. Yet there is much to be said on the other side.

In criticism of American behavior, the BBC carries documentaries on Vietnam which emphasize civilian casualties, say little about Viet Cong terrorism.

Sen. William Fulbright is featured on television declaring the United States should unconditionally cease bombing North Vietnam as the first step to peace.

The strident play "US" by the Royal Shakespeare Company at the Aldwych Theater denounces United States Vietnam policy.

Some members of the intellectual establishment complain that the United States, doing the wrong thing in Vietnam, is not doing much right about Europe either—is giving only a "lick and a promise" to European problems.

To set the record straight, there are these points in rebuttal:

1. The United States is quietly supporting Britain's bid to join the European Common Market. More, the White House hopes that if France's President de Gaulle again slams the door on Britain, the British will continue to "lay active siege" to the Continent, intending to gain entry at a later date.

2. The United States is working actively at Geneva to get a nuclear nonproliferation treaty signed. When West Germany has balked at some of the terms, Washington has softened its insistence on strict international inspection.

3. President Johnson has not totally abandoned the idea of making a trip to Europe—particularly to Bonn and London—this year. The proposal is simmering on the back burner, to be taken up again if conditions seem right.

4. By the end of February a tripartite committee will again be wrestling with the "Troops in Europe" issue, and deciding what cuts may be possible, what financing will keep troop strength in Europe at safe levels, and—eventually—what new strategies should govern NATO.

5. Aware of the stubborn technological gap between America and Europe, the United States is proposing studies and plans for narrowing this gap. This is either outright altruism, or an intelligent awareness that technologically advanced nations make the best customers.

6. Washington is not criticizing Prime Minister Harold Wilson for his Vietnam maneuvers during the Kosygin visit to London, even though some officials rather wryly note that every time peace hopes are raised without substantiation, and then sink again, this saps morale all over the lot. President Johnson understands Mr. Wilson's problems with his party's left wing.

What does all this add up to? To American spokesmen, it means that President Johnson and the executive branch in Washington are indeed aware of Europe's concerns. Perhaps they haven't done enough, to date, to make their interest known. On the other hand, this may be a time to "leave Europe alone" and permit the British, the Germans, the French, and the Russians to modernize their relationships.

Perhaps it is on Vietnam that Britain hasn't received a sufficient argument from Washington, though the Conservative Party and Prime Minister Wilson's branch of the Laborites both uphold American policy, however strenuously some may argue oppositely.

Washington's view is that the Vietnam war is changing the entire outlook in Asia. For instance, Premier Lee of Singapore, no close ally of the United States, has declared that the Vietnam war is "buying Asia time"—time to regroup—and that it must not waste this precious time.

What is happening, in Washington's view, is that Asia is discovering that China can be contained. Asia is not becoming a Chinese

continent. Thus other countries can breathe more freely. There is opportunity ahead to rationalize Asia's power balances.

This tremendous development makes the Vietnam war seem worth while, in the White House view.

Meanwhile the peace feelers out of Hanoi are so meager as to be almost nonexistent. Washington is well aware that Hanoi may believe that if it can hold out until 1968, in the hope that in a political year the United States Government will be ready for peace at almost any price.

Hanoi may discover that this view is totally wrong.

And where does the bombing of North Vietnam fit in?

Washington's estimate, as relayed here, is that the bombing is doing about as much damage to the North as the Viet Cong guerrillas are doing in the South. In other words, at long last a countervailing force against guerrilla warfare has materialized in Vietnam.

The United States Government recalls that more Americans were lost during the Korean truce negotiations than during the war years previously. The White House does not intend to have that sort of thing develop from a premature, unreal truce in Vietnam.

AN EDEN WITHOUT SERPENTS? UNLIKELY

Mr. JAVITS. Mr. President, I call attention to a magnificent article in last Sunday's New York Times by Walter Kerr, "An Eden Without Serpents? Unlikely," pointing out that even with the tremendous advance in national and State establishments on the arts, which I had the honor to originate in 1949, deep problems still exist; that these problems exist with respect to so-called State theaters abroad, in Communist countries, and that the problems do not differ from the problems experienced by our own theater. Indeed, our theater is more flourishing and far more vital, because it has the protection and security of civil liberties and private enterprise.

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

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

AN EDEN WITHOUT SERPENTS? UNLIKELY (By Walter Kerr)

Worry, worry, worry. In the past week or so I have picked up the morning paper several times and seen, again, alarming signs of the instability of that grand new movement toward cross-the-nation municipal theaters, and round-the-clock repertory, that we all so long for.

Yet another director has been fired in Pittsburgh; apparently he'd been doing too much Brecht. And the Long Wharf Theater in New Haven was on its knees begging for funds; apparently it had been doing too many brand-new presumably experimental scripts.

Naturally, we cry woe. Are our dreams unsound, is the looked-for miracle that is about to renew the American theater, a mirage, have we been kidding ourselves? Is there some fatal flaw in the whole notion of having dozens and dozens of local playhouses doing dozens and dozens of unfamiliar plays (unfamiliar because they are old or unfamiliar because they are new)? Is this nothing more than the vaunted "community" theater of the 1920's making its promises and breaking its neck all over again? (I suppose it should be remembered that earnest and intelligent

men were writing books called "The Theater of Tomorrow" and "Footlights Across America" in the 1920's, too, sure that the municipal millenium and a playwrighting renaissance were both at hand, hand in hand.)

BIGGEST MISTAKE

I think that before we cry woe we should learn to become realists. Our biggest mistake to date, I think, is to have imagined that sunup would come with nary a cloud in the sky, that the moment the new national program for the arts was announced it would just plain naturally flower and flourish, that we were going to get what we wanted without pain, patience, and the constant thunder of setbacks. Having a vision in our heads and much virtue in our hearts, we assumed that art would come leaping into our arms simply because our arms were now open, that quality would instantly follow upon generously doled-out cash, that virtue would in effect become its reward and ours. Why should there be problems when the over-all program is so distinctly desirable?

And so, having erected a quick kingdom upon a myth, we stagger under the blows that fall. There is no need to. Indeed, what we must do is brace ourselves to the inevitable onrush of more blows, and then, when we have begun to get somewhere, to the utter certainty that the most perfectly realized vision is still going to house an astonishing brood of vipers, day by day, decade by decade. We must stop being innocents and face the fact that even well-established repertory contains its own festering cankers and that proud municipal playhouses invariably manufacture their own paste jewels, their own home-grown perplexities.

SAME STORY

Last summer I spent four weeks at Salzburg talking to young directors, managers, actors, and translators, most of whose work was being done in state-subsidized, fully guaranteed, permanently staffed houses in countries all over Europe, including some behind the Iron Curtain. I learned a great deal.

In speaking of certain unpleasant conditions in the New York commercial theater—as opposed to the "secure" theater that might be created by endowed continuity—I happened to mention the plight of some of our best performers. An actress, I said, might have an enormous and thoroughly deserved success. She might then have another, perhaps a third—though with a little time out between them to search for scripts and bargain with commercial packagers. Then, I continued, she might easily hit a dead stretch, through no particular fault of her own. The right play might not come along; it might not be possible to cast properly a play she liked; any sort of foul wind might stop her dead in her tracks. At the height of her powers, and with her freshness due to decline yearly as freshness so disloyally does, she might spend as much as five seasons out of work. The waste is incredible. Yet that's the way the catch-as-catch-can commercial theater works, I concluded.

"But that's exactly what can happen in our theater!" a charming woman from Central Europe exclaimed, I was puzzled. Weren't the actors in her theater regularly employed? Yes, they were; once they'd graduated from the necessary preparatory school, and satisfactorily passed the tests imposed by the theatrical state board, they had jobs for life—or just about.

IN LIMBO

But my friend went on to explain. A girl out of school, a delightful ingénue, might join a company and work successfully, and frequently, for five or eight years. She would then be getting just a bit thready for ingénues, though not ample enough for char-

acter roles. She'd have arrived at a middle-ground "leading lady" position. Except that the company might already have an oversupply of "leading ladies," firmly entrenched and determined to stay that way until their wigs and chokers gave out. They were permanent, too, and had priority. The result: the maturing ingénue might not work for as much as ten years—until someone conveniently died or until she turned into a crone who could be cast in bits. She'd be paid all this time, true. But it wasn't pay, it was growth, we were talking about.

Another relatively young manager wanted out of state-subsidized repertory as fast as he could get out, though he had relatively few other places to go. He was fed up with the effects of security on his actors. They'd grown lazy, high-handed, reluctant to rehearse, and—what's more to the point—extremely unwilling to tackle roles they hadn't already established themselves in. They behaved both like stars and bureaucrats, he complained. They tended to stick to their bag of tricks; and they couldn't be budged because they couldn't be fired, they were office-holders.

Another kind of example. A director from behind an Iron Curtain country had, for a considerable time, been forced to do plays for the "workers," which meant old-line agit-prop plays imported from Russia or at the very least (very best, let's say), Brecht. "Finally," this director said, "I had to jump up and down and scream. I had to scream because the workers didn't like the plays and wouldn't come. I had to make the officials see that the actors became very discouraged playing to nobody." It seems that in this particular case the dictum from above was relaxed; the director had just finished doing "Luv," which the workers liked.

And there you are. Now none of this is to say that European municipal systems don't have their virtues. They have many. The most interesting practice, to me, was one pursued in Sweden. In certain cities there playwrights do not give any one theater an exclusive right to a play; there is no bidding for rights, as there is, say, in Prague. The playwright simply publishes his play, which means that it is now released to any management wishing to perform it. Six theaters may put it on simultaneously—and more or less as written. The author rarely bothers to go rehearsals, though he may if he is asked. In due time he has six different opportunities to see his play differently done—and, obviously, his chances of getting a "right" production, and a success, out of so much independent activity are mightily increased. The future of his work isn't staked on a single "all or nothing" throw. If I were a playwright, and didn't need too much money, I'd move to Stockholm.

My purpose this morning, however, is neither to praise what is admirable nor fall back in mock astonishment at what is dismaying in the European methods we are striving so hard to copy. My purpose is to point out that credits and debits exist in any system, in all systems. Turn where you will, and dream as you may, the theater is going to grow thorns as well as rosebuds, and very often the thorns are going to be a necessary complement to the rosebuds. Good and ill come together, Helen of Troy must have had her flaws, anything we put hand to turns out to be a mixed blessing.

NO MAGIC WAND

The important thing is to know this, and not to imagine that heaven hovers somewhere just beyond a big enough endowment or near a greenroom in which all of the actors are knee-deep in social security. Such disappointment as we feel whenever a new crisis turns up in Philadelphia or New Haven is due to our having supposed that one last benevolent gesture would do the trick, that a sufficient supply of goodwill would corral

perfection forever. We can't imagine serpens in Eden because we are still innocents about the theater: we do expect the good, the true, and the beautiful to flow immediately and without embarrassing interruption from our having made such an effort and having had such good intentions. We've had noble thoughts; why can't playwrights and playhouses, directors and prima donnas, live up to them?

I think that if we tighten our belts a bit against the possibility of not getting an instant full meal, if we agree to acknowledge the fact that every plan devised by mortal man breeds its own form of discontent, if we agree to junk the illusion that the wave of a magic wand will somewhere bring an altogether untroublesome, altogether uncorrupted kind of theater into existence, we'll find ourselves in better shape to deal with the slings and arrows that do seem to impede progress.

When we learn to stop idealizing any one sort of practice, and begin to be tough-minded about the dirty tricks of fate we may expect everywhere, we will not be so discouraged by occasional bulletins from the front. Even when we get what we want, we'll find it in some ways wanting. All right, so be it. Thus armed, we may get on with it. It is the realist, not the idealist, who is able to keep his spirits up.

NEW YORK TIMES BACKS PENSION REFORM

Mr. JAVITS. Mr. President, on February 27, 1967, I introduced S. 1103, a bill designed to deal as comprehensively as possible with the various problems which have so far manifested themselves in connection with pension plans. At that time, I pointed out that the administration bill, S. 1024, dealt only with one aspect of the problems, and ignored such important matters as vesting, funding, portability, and reinsurance.

In its lead editorial on March 7, 1967, the New York Times recognized the necessity of affording comprehensive protection to the millions of workers covered by private pension plans, and endorsed S. 1103.

Mr. President, 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:

GAPS IN INVESTING

Private pension plans and mutual funds are mushrooming without adequate protection for those who participate in them.

An immense pool of money, amounting to almost \$100 billion and growing fast, is accumulating in the private pension programs that cover more than 40 million Americans. The nation's mutual funds have over 3.5 million shareholders and assets of close to \$40 billion. Because such huge sums are involved, President Johnson has rightly urged Congress to provide greater safeguards over both mutual funds and pension plans. But his recommendations appear more intent on avoiding controversy than on affording real protection.

In the pension fund area, for example, he simply seeks fuller disclosure and other measures for limiting abuse that are already standard operating procedure in the financial community. Unquestionably, these established rules of good conduct should be applied to pension funds. But, as Senator Jacob Javits has pointed out, they do nothing to guarantee pension rights.

A Presidential Committee on Corporate Pension Funds examined the issue of security

benefits in 1965 and made a number of recommendations to secure their strengthening. It proposed that the Treasury set up specific funding requirements for pension funds. It also called for giving beneficiaries a vested interest in their funds and recommended that benefits be made portable from one pension plan to another. In addition, it suggested that it might be feasible to provide reinsurance of pension obligations in much the same way that the Federal Government now insures savings accounts.

Admittedly the committee's proposals aroused opposition in industry. But the millions of workers covered by pension plans are not completely assured of comprehensive protection unless they are provided more adequate funding and vesting. In omitting any mention of the problem, the President has left a potentially dangerous gap.

There are similar dangers in the mutual fund field. While the President stated that the Securities and Exchange Commission's report on mutual funds "provides a sound basis for measures which will be beneficial to the investing public and promote the health and stability of the industry itself," he failed to endorse its specific proposals. His modest show of support might be enough if the mutual fund industry were prepared to compromise, but it has been unwilling to concede that there is a need for either lower costs or greater protection for investors.

So it is up to Congress to explore the areas of controversy and contention. Senator Javits has introduced a bill embodying the proposals of President Johnson's commission to strengthen the position of participants in pension funds. Similar action is needed to protect shareholders in mutual funds. Providing adequate safeguards for these millions of small investors can be accomplished without harm to corporations or the financial community. What is involved is the savings and the security of a majority of Americans. By giving them greater protection, Congress will be bolstering the nation's over-all economic defenses.

THE COMPREHENSIVE PLANNING AND COORDINATION ACT OF 1967

Mr. JAVITS. Mr. President, hearings over the past year in both the Executive Reorganization and Intergovernmental Relations Subcommittee of the Government Operations Committee have made all of us more aware of the existing problems of our federal system. I have for many years recommended a greater use of regional and metropolitanwide planning and am pleased to be a cosponsor of Senator Scott's proposal, the Comprehensive Planning and Coordination Act of 1967—S. 799. The proposal would make Federal matching funds available for the establishment of regional planning agencies with grants of up to two-thirds of the cost of planning activities of such agencies. In addition after fiscal 1968, any application for Federal assistance by an agency of State government would be accompanied by the comments of the comprehensive planning agency of the State government.

I ask unanimous consent that the recent remarks of Richard Murphy, legislative assistant to Senator Scott, before the National Legislative Conference of County Officials, on February 27, 1967, be placed in the RECORD at this point. I believe that Mr. Murphy has presented an excellent statement of the problems together with the projected solutions of Senator Scott's proposal.

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

THE COMPREHENSIVE PLANNING AND COORDINATION ACT OF 1967

(By Richard W. Murphy, legislative assistant to Senator HUGH SCOTT)

(Remarks before the County Planning Committee of the National Association of Counties at the First National Legislative Conference of County Officials, Sheraton Park Hotel, Washington, D.C., February 27, 1967.)

I am honored and pleased to appear before this distinguished group of local government officials. Let me say at the outset of my remarks that you are fortunate to belong to the National Association of Counties. This public interest group, led by its outstanding executive director, Bernie Hillenbrand, and assisted by an able staff which includes my good friend and your legislative representative, C. D. Ward, is increasingly making its presence felt in Washington. We on the Hill know NACO as an effective advocate of the interests of county government.

My topic is S. 799, the Comprehensive Planning and Coordination Act of 1967, which was introduced on February 2 by Senator Hugh Scott of Pennsylvania and is cosponsored by Senators Jacob Javits of New York, Mark Hatfield of Oregon, and Jack Miller of Iowa. It is appropriate that Senator Scott is the author of this legislation, for, as a member of the Pennsylvania State Planning Board, he is actively concerned with the need and importance of planning as a device for coordination. I hope you will agree that Senator Scott's bill is of great significance to local government.

The Comprehensive Planning and Coordination Act of 1967 tries to cope with the problem of coordination. That problem is a natural consequence of the growth in number, size, variety, and complexity of Federal grants-in-aid that has taken place in recent years. There are 220 of these grants; they are funded under more than 400 separate authorizations and are administered by 21 Federal departments and agencies.

I don't need to tell you how difficult is the problem of coordination at the local level, but I was impressed by this description of the impact of proliferating Federal aids on local government which was given by James L. Martin, NACO's assistant director for Federal relations, in the January issue of *American County Government*: "Only one county in one hundred has a full-time county manager; only 350 counties out of 3,049 have populations over 100,000; and only 39 per cent of the cities over 100,000 population have a full-time mayor. There has been a vast increase in federal activities at the local level; at the same time, local governments are not fully equipped to cope with the situation."

The quest for coordination is not easy, as Harold Seidman, Assistant Director for Management and Organization of the Bureau of the Budget, observed in these comments last summer:

"In ancient times alchemists believed implicitly in the existence of a 'philosopher's stone' which would provide the key to the universe and, in effect, solve all the problems of mankind. The quest for coordination is in many respects the twentieth century equivalent of the medieval search for a philosopher's stone. If only we can find the right formula for coordination, we can reconcile the irreconcilable, harmonize competing and wholly divergent interests, overcome the irrationalities in our government structures, and make the hard policy decisions.

"We are prone to forget that coordination is not neutral. To the extent that it results in mutual agreement or a decision on some

policy, course of action, or inaction, inevitably it advances some interests at the expense of others, or more than others. It assumes at least some community of interests with respect to basic goals. Without such community of interests, there can be no effective coordination. Coordination contains no more magic than the philosopher's stone. It does contain, however, a good deal of the substance with which the alchemists were concerned—the proper placement and relationship of the elements to achieve a given result."

Notwithstanding the difficulties involved or the obstacles that may be encountered, Senator Scott has embarked on a quest for coordination by sponsoring the Comprehensive Planning and Coordination Act of 1967. I doubt that the Senator would claim that his bill embodies the "right formula for coordination," but he can justifiably contend that it represents an important step in the right direction.

The purpose of the Comprehensive Planning and Coordination Act of 1967 is to help State and local governments fashion more effective instruments to coordinate their human, economic, and physical resource development programs, many of which are assisted by Federal grants-in-aid. The bill would accomplish this purpose by providing regular Federal financial assistance, on a matching basis, to comprehensive planning, programming, and coordination agencies of State governments, regional groupings which the bill calls "development districts," and metropolitan areas. A development district is "any multijurisdictional area, including interstate areas, established under State laws, or in the absence of such laws, under a plan approved by the Governor of the State or States, comprising more than one unit of general local government, which area has common or related problems of development requiring cooperative, comprehensive planning and concerted action for the effective solution of such development problems." A metropolitan area, under the terms of the bill, is a development district which usually comprises a standard metropolitan statistical area.

Viewing coordination as an executive responsibility, the bill specifies that the comprehensive planning agencies to be assisted pursuant to its provisions must be, in the case of the States, "generally responsible to the Governor," and, in the case of development districts, "responsible to the elected officials of the unit or units of general local government comprising such development district or metropolitan area."

Generally speaking, Senator Scott's bill authorizes Federal grants to cover up to two-thirds of the costs of planning activities of the recipient agencies. There is a bonus which I shall describe in a few moments. The legislation carries an authorization of \$50 million for fiscal 1968 and \$75 million for each of the two fiscal years thereafter.

The formula for allocating the funds authorized by this legislation is designed to assure a regular if minimum base of support of the activities of State and metropolitan area comprehensive planning, programming and coordination agencies. Some of my friends on NACO's Washington staff have expressed concern over the apparent ineligibility of rural areas for assistance under this formula. It is true that in allotting a minimum of \$50,000 annually to each State comprehensive planning agency and of between \$20,000 and \$50,000 to each metropolitan area comprehensive planning agency (depending on the area's population), the formula provides no minimum annual allotments for the comprehensive planning agencies of other development districts. Let me point out, however, that in addition to the foregoing minimum allotments, the formula sets aside 40% of the annual appropriation for distribution among the States on a straight

per capita basis and the remainder for additional planning grants to be made at the discretion of the Director of the Office of Comprehensive Development and Emergency Planning, the agency to which administration of the program authorized by the Scott bill is assigned. Thus, while development districts outside the metropolitan areas would not receive funds in the first round, they would be eligible for the ample funds that would still remain in subsequent allocations during a given fiscal year.

Coordination of resource development programs would be achieved under the Scott bill by a review process that goes considerably beyond the scope of the metropolitan area review process mandated by Title II of the Demonstration Cities and Metropolitan Development Act of 1966. After fiscal 1968, any application for a Federal loan or grant to an agency of State government would be accompanied by the comments of the comprehensive planning agency of the State government. Such comments would relate the activities and plans to be assisted under the loan or grant to State comprehensive development plans and programs. The same review procedure would apply in the case of applications for a Federal loan or grant to an agency of local government within a development district or metropolitan area. In addition, any Federal agency contemplating direct activities that may significantly affect the development of a State, development district, or metropolitan area (e.g., construction of a post office) is to consult with the Governor or the planning agency of the development district or metropolitan area, as the case may be, regarding the relationship of the contemplated activity to the planning program of the State, development district, or metropolitan area, as the case may be.

The most controversial feature of Senator Scott's bill, as far as certain elements of the Executive Branch of the Federal Government are concerned, is Section 4, which places responsibility for administration of the Act in the Executive Office of the President. Senator Scott has long felt that there must be a central focus for coordination of diversified development programs of the Federal Government. Accordingly, his bill would change significantly the functions of the Office of Emergency Planning so that it, under a new name, the Office of Comprehensive Development and Emergency Planning, would administer the Act. The Office of Emergency Planning is strategically situated as an arm of the President and above the line departments and agencies of the Executive Branch. It is equal to and relates to the Council of Economic Advisers and the Bureau of the Budget. Moreover, it has the greatest computer capability of any civilian agency in the Federal Establishment and has performed useful work in the area of economic projections which would be applicable to some of the activities contemplated in the Act. This Office would not have the problem that an operating department faces in trying to coordinate the activities of other departments that are its equals in the President's Cabinet.

Another provision of Senator Scott's bill, while not directly concerned with the problem of coordination, might be of interest to you. Section 10 encourages States and development districts to provide inputs into the Federal planning-programming budgeting system. Those State and development district comprehensive planning agencies which elect to submit to the Director of the Office of Comprehensive Development and Emergency Planning a detailed annual development program are eligible for Federal planning grants of up to three-fourths (instead of two-thirds) of the costs of their planning, programming, and coordination activities. These inputs into the Federal PPBS would permit a more complete assess-

ment of State and local development needs and demands and would improve the ability of the Federal Government to allocate its resources more efficiently.

This, in highlight form, is a summary of the Comprehensive Planning and Coordination Act of 1967—Senator Hugh Scott's "quest for coordination." The primary purpose of this legislation is to help the States and multijurisdictional groupings of local governments establish appropriate machinery to coordinate their resource development programs. Washington's interest in this undertaking stems from its financial support of most of these programs, its realization of the growing confusion surrounding the existing thicket of Federal grants-in-aid, and its desire to rationalize our Federal aid system and to make it operate with optimum effectiveness.

Before concluding, I want to point out that coordination of Federal grants-in-aid to State and local governments is but one of Senator Scott's current concerns with respect to the functioning of our Federal system. He is also seeking consolidation of existing grants-in-aid into broader functional or block grants through legislation to provide periodic Congressional review of these programs. Finally, to give maximum flexibility to the States and local governments in the administration of Federally aided programs, he has proposed a tax-sharing bill. In all three of these measures, Senator Scott seeks to strength the independence of the States and their political subdivisions and their ability to serve their citizens.

MEDAL OF HONOR PRESENTATION TO LAWRENCE JOEL, SPECIALIST, SIXTH CLASS, U.S. ARMY

Mr. ERVIN. Mr. President, on this day the President of the United States conferred the Nation's highest military award, the Medal of Honor, upon Lawrence Joel, specialist, sixth class, U.S. Army, who distinguished himself by gallantry and intrepidity in action at the risk of his life above and beyond the call of duty on November 8, 1965, while serving as a medical aidman in combat in Vietnam.

North Carolina is very proud of the gallant act which resulted in this North Carolinian being awarded the Nation's highest medal for valor.

On behalf of my colleague, Senator JORDAN, and myself, I ask unanimous consent that a copy of the citation setting out the gallant act for which the Medal of Honor was awarded to Sp6c. Lawrence Joel be printed in the body of the RECORD.

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

CITATION

The President of the United States of America, authorized by Act of Congress, March 3, 1863, has awarded in the name of The Congress the Medal of Honor to Specialist Six Lawrence Joel, United States Army for conspicuous gallantry and intrepidity in action at the risk of his life above and beyond the call of duty:

Specialist Six Lawrence Joel (then Specialist Five) distinguished himself by gallantry and intrepidity at the risk of his life above and beyond the call of duty on November 8, 1965 while serving as a Medical Aidman, Headquarters and Headquarters Company, 1st Battalion (Airborne), 503d Infantry on a battlefield in the Republic of Vietnam. Specialist Joel demonstrated indomitable courage, determination, and professional skill when a numerically superior and well-

concealed Viet Cong element launched a vicious attack which wounded or killed nearly every man in the lead squad of the Company. After treating the men wounded by the initial burst of gun fire, he bravely moved forward to assist others who were wounded while proceeding to their objective. While moving from man to man, he was struck in the right leg by machine gun fire. Although painfully wounded his desire to aid his fellow soldiers transcended all personal feeling. He bandaged his own wound and self administered morphine to deaden the pain enabling him to continue his dangerous undertaking. Throughout this period of time, he constantly shouted words of encouragement to all around him. Then, completely ignoring the warnings of others, and his own pain, he continued his search for wounded exposing himself to hostile fire; and, as bullets dug up the dirt around him, he held plasma bottles high while kneeling completely engrossed in his life saving mission. Then, after being struck a second time and with a bullet lodged in his thigh, he dragged himself over the battlefield and succeeded in treating thirteen more men before his medical supplies ran out. Displaying resourcefulness, he saved the life of one man by placing a plastic bag over a severe chest wound to congeal the blood. As one of the platoons pursued the Viet Cong, an insurgent force in concealed positions opened fire on the platoon and wounded many more soldiers. With a new stock of medical supplies, Specialist Joel again shouted words of encouragement as he crawled through an intense hail of gun fire to the wounded men. After the twenty-four hour battle subsided and the Viet Cong dead numbered four hundred and ten, snipers continued to harass the Company. Throughout the long battle, Specialist Joel never lost sight of his mission as a Medical Aidman and continued to comfort and treat the wounded until his own evacuation was ordered. His meticulous attention to duty saved a large number of lives and his unselfish, daring example under most adverse conditions was an inspiration to all. Specialist Joel's profound concern for his fellow soldiers, his conspicuous gallantry, and his intrepidity at the risk of his life above and beyond the call of duty are in the highest traditions of the United States Army and reflect great credit upon himself and the armed forces of his country.

PROPOSED AMENDMENT TO KEEP DRAFTEES FROM BEING SENT TO SOUTHEAST ASIA WITHOUT THEIR CONSENT

Mr. GRUENING. Mr. President, tomorrow, as early as possible, I will take the floor to state the reasons I have for proposing, when the draft extension bill comes to the floor of the Senate, an amendment to that bill which would prohibit draftees from being sent to southeast Asia without their consent.

As I will explain, the United States already has sufficient men under arms to obviate the need for using draftees in Vietnam or in southeast Asia without their consent.

NEED TO RESTRICT DAIRY IMPORTS

Mr. EASTLAND. Mr. President, anyone reading the papers or the farm magazines these days can see that the American farmer is up in arms over the low prices he is receiving for working long hours on the farm. The American farm is changing as quickly as the cities of this country, and we are going to have to

meet specific problems with specific solutions.

No one bill will solve all the problems of the American farmers. But there is one bill which would do much to help the dairy farmers of America. Forty-three U.S. Senators, including me, have their names on the "Dairy Import Act of 1967" which would solve the No. 1 problem the dairy farmer must face. And this problem of unchecked imports calls for some corrective legislation, and that action is needed as soon as possible.

This act would limit imports to the average butterfat and nonfat milk solids shipped in from 1961 through 1965. This means that importers will be able to continue to ship in dairy products as they have in the past, but a share of the market also will be protected for the American dairy farmer. The bill would allow the President to authorize additional imports if necessary in the national interest. The law would let importing nations share in the domestic market as it grows.

We all know that the dairy farm industry must be kept at a production level high enough to meet the needs of American consumers. The flow of imports—which are evading quotas—are cutting into markets the U.S. dairy farmer has counted on for years, and this is one major reason prices paid dairy farmers are not in line with the rest of the economy.

Sometimes we forget that only 6.5 percent of our population is in farming. With only one farmer feeding 37 persons, most of our work force is available for the production of other products. And in this country we really pay less for better food than do the people of any other country. The average spent for food in this country is 18 percent of the family budget. In Britain it is 29 percent, and in Italy it is 45 percent. American farmers are the most efficient in the world.

It is the same with our dairy industry. Production per cow keeps going up each year. While the number of dairy farms is decreasing, production is about the same. Of course, this is not enough. As our population increases, production is going to have to increase.

Something is going to have to be done for the dairy farmer so that he will get a higher price for his milk.

Passage of the "Dairy Import Act of 1967" would help protect a share of the market for our dairy farmers. This legislation is needed to protect the dairy farmers and allow them to receive a fair price for their milk.

I ask unanimous consent that an editorial, entitled "Need To Restrict Dairy Imports," published in the Jackson, Miss., Clarion-Ledger on February 16, 1967, be printed at this point in the RECORD.

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

NEED TO RESTRICT DAIRY IMPORTS

Our own Mississippi industry suffers from the growing flood of dairy products being shipped into the United States from other countries, as a result of loopholes in our

import laws, seriously threatening the American dairy industry as a whole.

Here are some facts and figures on the inroads of foreign competition against our dairy products industry:

Total imports of dairy products are 12 times as great as the amount authorized under U.S. import quotas;

Imports will rise by 567 per cent—nearly 7 times above 1963—if USDA estimates of dairy products imports for 1967 prove correct;

Three times more dairy products—milk equivalent—have come into the United States in 1966 than was imported in 1965;

In 1966, for the first time, the United States imported more dairy products than were exported.

Such unconscionable levels of import have been possible because of easily circumvented import restrictions. By changing the name or slightly altering the contents of dairy products, importers have been able to successfully evade existing import protections.

It should be pointed out that most dairy products and derivatives shipped into the United States are cheaper because of subsidies available to foreign importers and lower world prices.

Dick Braun, writing in the February issue of Farm Journal magazine, points out:

"There is even evidence that some Common Market countries are buying our butter at 26 cents a lb., adding sugar to it, and shipping it back here as ice cream mix at 45 cents a lb. Their butter costs 6 cents to 8 cents delivered here because some countries pay shippers an export subsidy."

The National Milk Producers Federation has found the Common Market countries' minimum import prices for butter range from a low of 70 cents per pound in the Netherlands to 94 cents per pound in Belgium and Luxembourg. Such prices are maintained by import levies. These same nations export butter at prices as low as 20 cents per pound.

Such unfair competition harms the American dairy industry, and the situation demands additional restrictions on foreign imports without further delay, if our own producers and processors are to stay in business with a reasonable margin of profit.

THE BUDGET FOR FISCAL YEAR 1968

Mr. MILLER. Mr. President, page 413 of the budget for fiscal year 1968 merits special attention. It underscores the fact that Federal spending in fiscal 1968 will cross the \$200 billion mark for the first time in U.S. history.

The table shows expenditures on a checks-issued basis for all Government-administered funds except deposit funds.

As the budget indicates, the increase of nearly \$46 billion from 1966 to 1968 is largely for two functions—about \$18 billion for national defense—in part due to the buildup relating to Vietnam—and slightly over \$13 billion for health, labor, and welfare, mostly due to health service for the aged and the increased expenditures from social-economic trust funds.

An article discussing Federal spending amounts not generally appreciated by the public appears in the February 25 issue of Business Week, and I ask unanimous consent that it be printed in the RECORD along with page 413 from the budget.

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

TABLE B-9.—Gross expenditures of Government-administered funds
(In millions of dollars)

Function	1966 actual	1967 estimate	1968 estimate
National defense	60,570	73,555	79,089
International affairs and finance	5,340	5,889	6,763
Space research and technology	5,934	5,612	5,316
Agriculture and agricultural resources	16,523	19,215	19,463
Natural resources	3,580	3,778	4,085
Commerce and transportation	12,382	13,229	13,900
Housing and community development	4,953	5,894	6,037
Health, labor, and welfare	32,689	38,929	46,241
Education	2,792	4,065	4,683
Veterans benefits and services	7,026	7,877	8,129
Interest	10,224	11,241	11,468
General government	2,606	2,773	2,899
Undistributed—Special allowances		100	2,150
Total	164,619	192,156	210,222
The total is derived as follows:			
Administrative budget expenditures (table 14)	106,978	126,729	135,033
Trust fund expenditures (tables 14 and B-4):			
Total of such transactions	34,864	40,882	44,507
Elimination of deposit funds included in total	520	150	122
Intragovernmental transactions (table A-4):			
Trust fund payments to the administrative budget	-120	-124	-116
Administrative budget payments to trust funds	-3,239	-4,900	-5,204
Receipts from the public netted in conventional totals:			
Receipts of public enterprise funds (table B-1)	16,580	18,638	21,442
Receipts of trust revolving funds (table B-5)	850	1,168	1,939
Reimbursements to appropriations and intragovernmental funds (table B-8)	2,302	2,418	2,624
Substitution of annexed budgets:			
Gross expenditures of annexed budgets (table B-7)	8,068	9,411	10,517
Elimination of net expenditures of Government-sponsored enterprises (included in table B-4)	-2,184	-2,224	-642
Total	164,619	192,156	210,222

ECONOMICS \$40 BILLION THE BUDGET LEAVES OUT

(Tucked away in the federal budget, it's spending that few people know about.)

It would take some fancy bookkeeping to make General Electric Co., a \$7-billion operation, look like, say, a \$500-million operation. But Washington has been pulling a similar trick with the Post Office Dept. for years—with no protests from the American Institute of Certified Public Accountants, and only a few adverse comments from unorganized economists.

Just how far Washington's accounting magic is carried can be seen by turning to last month's 478-page budget message. Not until page 413 is it revealed that federal spending will in fiscal 1968 cross the \$200-billion line for the first time in U.S. history.

In fact, gross federal expenditures are expected to come to \$210.2-billion—almost

\$40-billion above the cash budget—which is the biggest spending total given for the federal government in any of the traditional budgets. (They are the cash, national income accounts, and administrative budgets.)

The tipoff. If the \$200-billion landmark had been reached four years ago, it could have been found out only by someone who went through the budget page-by-page to add up the spending totals. It was only after Congress' Joint Economic Committee pointed out in 1962 how much spending was hidden in the official total that the Bureau of the Budget started doing the necessary calculations itself, and reporting a total for gross expenditures. Needless to say, though the bureau now publishes the gross expenditure figure, it does not publicize it.

An instructive example of the government's bookkeeping is the Post Office, which in fiscal 1968 will spend some \$6.7-billion. Yet, as far as the budget is concerned, Postmaster General Lawrence O'Brien will have at his command only his deficit—\$544-million. Ironically enough, he will have more than that to work with only if Congress fails to approve President Johnson's proposed postal rate increase.

Curious counting. The paradox stems from the fact that money from the sale of stamps is subtracted from government spending rather than being added to receipts. So it is operating deficits, not outlays, that count as federal expenditures. In the same category are close to a hundred other "public enterprises" and related government activities, whose spending approaches the \$40-billion mark.

There's perhaps more logic than there are shenanigans in this process. Obviously, the money that a college student spends to buy a stamp for a letter home should not be counted as a tax, and his parents should not be considered the beneficiaries of Washington's largesse. There is managerial sense and a good bit of discipline in a budget system that shows clearly whether government operations that are patterned along business lines are paying their own way.

Nevertheless, it means that none of the three budgets that Washington publicizes is telling the whole story about the size of government.

The federal role. Because the deficits and surpluses of the public enterprises are put into the budget, the current system does not distort the most closely watched budget figures—total deficit or surplus. But the system now in use does obscure the true role of the federal government.

The gross budget gives a picture of where Washington is putting its emphasis that is significantly different from the cash budget. For instance, the cash budget says that the federal government intends to spend \$4.1-billion on "agriculture and agricultural resources." This figure hides most of the complex operations of the Commodity Credit Corporation. The actual outlays will be more than four times as much: \$19.5-billion.

Similarly, federal spending on housing will be three times the officially reported \$1.8-billion; commerce and transportation activities will be double the cash budget's \$6.9-billion; and spending for education will be \$4.9-billion, not the \$2.7-billion the cash budget sets down.

Doubtful arithmetic. Most of the difference comes from the activities of "public enterprises." In fiscal 1968, these subsurface operations will write checks to the public for some \$28.7-billion and be charged on the official books with only \$6.3-billion.

The Post Office and the Dept. of Agriculture account for most of the public enterprise spending—though the new Dept. of Housing and Urban Development, with gross expenditures of \$5.5-billion in fiscal 1968, is breathing down their necks. But tucked away in the budget of nearly every department are operations that are largely self-financing.

The Food & Drug Administration has, for example, a revolving fund that applies drug-licensing fees to its investigative operations. The Dept. of Labor has a "farm labor supply revolving fund." The Pentagon owns the record for inconsequence: The laundry service at the U.S. Naval Academy is run as a separate public enterprise and reports every quarter to the Dept. of the Treasury.

Two years ago, when the Johnson Administration decided to help the balance of payments by selling U.S. arms to foreign governments, the operation was set up as a public enterprise known as the "foreign military sales fund." It will entirely disappear from the budget next year when receipts fully match expenditures.

Map-selling sideline. But it doesn't always take public enterprise status to get a source of funds that can be used to offset budget expenditures. There are separate accounts scattered all over Washington for agencies that sell things to the public and keep the proceeds for themselves rather than turning them over to the Treasury. One example is the Coast and Geodetic Survey, which has a profitable sideline of selling maps. Another is the Atomic Energy Commission, which sells and rents fuel for private reactors.

And there are some government operations that don't figure in the budget at all. The gross expenditure figure includes \$10.1-billion for the so-called "annexed" budget's seven government operations. They include the Federal Reserve Board, the Federal Deposit Insurance Co., and the Milk Marketing Administration, none of which ever has to go to Congress for funds.

The long-term result of all of this is a growing divergence between the official figures and what Washington actually spends. In 1963, the first year in which the gross expenditure figures were published, the difference between the cash budget and the gross budget was \$24.6-billion. In 1968, it will be \$37.8-billion. Because public enterprises are proliferating, the difference will be even wider in the future.

The government will spend much more than appears in the big cash budget because it understates the true expenditures of "public enterprises":

[In millions of dollars]

Some examples	Fiscal 1968	
	Estimated expenditures	Figure that appears in cash budget
Commodity Credit Corporation.....	7,475	+1,829
Export-Import Bank.....	1,720	-365
Farmers Home Administration.....	1,879	-671
Federal Housing Administration.....	1,006	+8
Federal National Mortgage Association.....	2,421	-127
Post Office.....	6,899	+544
Tennessee Valley Authority.....	503	+111

And does not include some key expenditures in the budget:

Estimated fiscal 1968 expenditures

[In millions of dollars]

Some examples:	
Federal intermediate credit banks.....	8,091
Banks for cooperatives.....	2,366
Comptroller of the Currency.....	23
Data: Budget Bureau.	

REDUCTION OF TRADE RESTRICTIONS ON OUR AGRICULTURAL EXPORTS TO THE COMMON MARKET

Mr. MILLER. Mr. President, the Trade Expansion Act of 1962 expires on June 30.

It is known that this Kennedy round of negotiations in Geneva—negotiations vitally affecting our industries and our farmers—have not progressed very well.

There have been reports that we may back down in certain areas, such as our insistence that trade restrictions on our agricultural exports to the Common Market be substantially reduced before we made concessions on imports of their manufactured goods.

It is my fear—hopefully I will be proven to be wrong—that concessions will be made at the expense of our farmers.

As I said, I hope I will be proven to be wrong but rumors persist that the American farmer will be sold short.

In the March issue of the Farm Journal, editor Carroll P. Streeter has sized up the situation. It is not an optimistic report.

I think his article and the accompanying editorial merit the scrutiny of Senators, and I ask unanimous consent that they be printed in the RECORD.

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

[From the Farm Journal, March 1967]

HOW BIG A MARKET FOR YOU IN EUROPE?—THE NEXT FEW WEEKS WILL TELL

(By Carroll P. Streeter)

Watch what happens between now and midnight June 30, for in that period the future of your big cash market in Central Europe will be decided for the next several years.

The six nations of the Common Market (Germany, France, the Netherlands, Belgium, Luxembourg, Italy) are your biggest dollar customer abroad—\$1.6 billion worth a year.

This big market is right now up for grabs, with the Europeans trying to take more of it for themselves and we striving not only to hold our share but increase it.

The battle, which Farm Journal has reported by sending editors to Europe four times since 1960, has been growing in intensity. It will come to a climax in the GATT negotiations [General Agreement on Tariffs and Trade] in Geneva, Switzerland, between now and June 30. That's when our Trade Act expires. That will mark the end of the "Kennedy Round."

To see what our prospects are, I've just taken a swing around Central Europe, including Geneva, and here's what I found:

Three amazing things are due to happen over there July 1, no matter what happens before—and each will affect you:

1. On that day the Common Market will put into operation Common Agricultural Prices for farmers in all six nations on 90% of their commodities (with the rest to follow by 1968). Imagine it:

French farmers will suddenly see their prices go up 10% while German farmers will swallow hard and take 10% to 15% less. As a group prices will shoot up 7% to 30%, depending upon the commodity and the country.

2. On that day all tariff barriers between the six will vanish. Here are countries that have been at war with each other twice in the last half century. Each has been trying with every protective device known to man to shield its own food supply and its farmers. From here on there'll be one food supply, not six, which should help preserve peace among former enemies.

Farmers of these nations will suddenly be exposed to one another competitively. Apple growers in Italy will ruin some German fruit growers. Dutch poultrymen will put some chicken raisers in France out of business. The adjustments will be excruciating.

but they'll be bravely made in an attempt to be "European."

Meanwhile these nations will buy more from each other, less from us.

At the same time tariff walls against our products will be raised to protect the higher prices just established within. We don't belong to the "club." Nor are these ordinary tariffs. Normally tariffs are fixed amounts, tacked on to world prices. If world prices go low enough, the combination can be climbed over.

The Common Market has thought up an ingenious device known as "variable levies." Figured daily on grains, they are the difference between the world price and the Community's Common Agricultural Price. They vary, all right, as much as necessary on any given day; but the level of protection always ends up the same, and it's high.

No matter how much more cheaply we can produce, we have no competitive advantage. And of course that's the idea. The farmers of Europe on their small acreages are no match for us in production costs, even though they often get higher yields per acre.

As one European farm leader put it to me quite bluntly: "We don't intend to let your rich American farmers run our little farmers out of business. You have your farm policy; this is ours."

We have been urging the Community to adopt relatively low Common Agricultural Prices, both for their sake and ours. Theirs because high prices merely perpetuate an inefficient agriculture, bring on high food costs, then high labor costs and inflation. Ours because high prices stimulate more farm production over there, making it harder for us to sell.

We've urged lower tariffs and said we'd lower ours. That's what the Kennedy Round is all about. But here the Europeans are approaching this great meeting for liberalizing trade with tariffs they have just put higher!

Up to now we've done well selling them our farm stuff, except for poultry and wheat, despite the fact that variable levies have been in effect since 1962 on several of our major commodities. Since 1960 we've increased our farm exports there by 42%. In 1965-66 they were 16% better than a year earlier.

Europe has been booming since our Marshall Plan helped put it on its feet (although it is in something of a slump now). People there have been eating more meat and other protein foods. Although western Europe's farm production has risen, demand for food has risen faster.

Consequently we've had a fast-growing market, especially for feedstuffs. Feed grains have been the top performer, with soybeans second (there's no tariff against them because Europe can't raise its own).

Feed grains and soybeans will continue to be our best sellers. Europe will raise most of her own poultry and livestock, but if her people can continue to increase their meat eating, as they want to, she will never raise enough feed. She doesn't have the land for it.

Wheat is another story. The Common Market is not only self-sufficient in soft wheat, she is dumping great quantities on world markets, in competition with us, by paying a whooping export subsidy of \$1.35 a bushel. (Our own export subsidy on wheat is around 5¢.)

Europe has to buy durum and hard wheats to blend with her own, but they get most of the latter from Canada because the Canadian wheats are "stronger" in protein. Consequently our wheat sales to Europe are slipping and doubtless will continue to decline.

Poultry furnishes the classic example of what can happen when prices and tariffs are hiked too high. You may remember the "chicken war" of 1962—which we lost

decisively. Tariffs against our broilers were then around 5 cents a pound, and we had a growing business of \$59 million a year. Then the Community decided they'd raise the chickens, so they hiked the tariff to 13 cents, and by 1964 got it up to 18 cents.

We retaliated by raising our tariffs on brandy, trucks and starches. Nevertheless all this killed our broiler market, as intended, although we still sell some chicken parts and turkey. But it did something else. The Europeans, particularly the Dutch, went head-over-heels into broilers.

The little farmers of Brittany in northern France, hard-pressed to make a living with grain, envisioned chickens as their salvation. They sat back awaiting happy days.

But alas! The Community was presently flooded with chicken, and started dumping it abroad, of course with an export subsidy, which demoralized our market in Switzerland and Austria.

Before long prices had fallen to 15 cents a pound.

The enraged farmers of Brittany descended on the town of Morlaix by busloads. They attacked the town hall, bashed in the door with a battering ram, threw chicken manure and dead chickens around. Not until three riot squads of police reached the scene with tear gas was the town square cleared.

What are our prospects after July? That depends on whom you ask. The Europeans I talked to quite naturally assured me we have nothing to fear. They had three arguments:

1. While the Community will raise more food under the stimulus of higher prices, it can't raise a lot more. Livestock yes, but not grain. There will be some increase in yield per acre, but all the good acres in northern France (the best farming region in Europe) are already producing full blast, they say.

2. Unless Europe has a depression, growing demand will sop up increasing supplies and then some. So far that's been the truth, but the new high prices aren't yet in effect.

3. Farmers' costs will go up right along with their prices, taking much of the incentive out of farming harder. Their costs have been going up, all right, but prices will surely leap ahead of them this summer.

Our agricultural representatives over there are worried.

"Every commodity we ship to Europe, except cotton and soybeans, will be hurt—not just by higher local production but by the higher tariffs against us," says one of our most experienced observers over there. Actually, even cotton and soybeans may feel some competition from African vegetable oils. The Community now has two associate members, Turkey and Greece, and preferential trading agreements with 16 African nations.

French farmers can put marginal land under the plow for barley and corn when the price is right. She had more land in cultivation in World War I than she has now. French plant breeders have developed corn that does well as far north as Paris. With better prices, more of southwest France could be irrigated.

See what we are up against in Germany:

As of last Oct. 25, our No. 3 yellow corn brought \$1.75 a bushel, freight paid, at the German border. We paid a levy of \$1.15 a bushel to get it in. This plus a few other costs made the total price \$2.96.

French corn of equivalent grade was \$2.60 at the border, paid only 23¢ duty, had a total price of \$2.89. So the French got 85¢ more at the border than we did, but undersold us by 7¢ in Germany!

And that was last October. Come July they won't pay their 23¢ duty while ours will be higher. Who do you think will get the business?

Our only hope is that demand in Germany will boom so much that the French can't

supply all of it, no matter how had they try. Barring a recession, that's likely to happen.

This much is sure, though: However much we manage to sell, we'd sell more if the prices and levies over there hadn't been put so high. It is small comfort to be told our share of the market won't shrink when the whole market is growing. We want growth, not the status quo.

The ironic thing is that it is we who are paying in large part, both for the stimulus within the Community and the export subsidies with which it dumps its stuff elsewhere. We're financing our own competition through the levies we pay!

The Community, already gigantic, will doubtless expand in the next few years to include Britain, Ireland, Scandinavia and other countries around the edges, which will make access the more important for us.

What can we do about it? Well, at the moment our only hope lies in the GATT negotiations in Geneva. We'd like to have the Community lower its Common Agricultural Prices and variable levies.

It looks as though we had surrendered on that front; instead we are now trying to get an International Grains Agreement. In that we are asking a firm percentage of the farm market over there, thus assuring us a share of growth, with a firm commitment of help in feeding the world's hungry nations.

The Community's proposed agreement has so many loopholes as to be meaningless. Prospects are dim for one we could accept unless we retreat. What the State Dept. will do we'll have to wait to see. Fortunately the U.S. Senate must ratify any agreement of this sort.

There's only one way, probably, we can get even a reasonably good farm deal: We can refuse to reduce our tariffs on the industrial goods Europe wants to sell here, unless she reduces hers on our farm stuff.

We'd better stick to it or we could be traded out of our shoes.

[From the Farm Journal, March 1967]

POKER GAME

The other day we visited the room in the Palace of Nations in Geneva, Switzerland, where the biggest poker game of recent times is about to be played—with your grain market as the chips.

It's the Kennedy Round of the GATT negotiations (General Agreement on Tariffs and Trade) where the nations are trading "offers"—"we'll reduce this tariff if you'll reduce that." It's a game where tough traders are determined not to give away more than they get, and not that much if possible. There's a deadline of June 30, and the traders are now "eye ball to eye ball."

While there's intense bargaining on everything, agriculture is the chief sticking point. Our Trade Act binds our negotiators not to concede more on our industrial tariffs than the Common Market concedes on agricultural tariffs. This is not just in farmers' behalf, either; it's for the sake of our trade balance. Our farm products now constitute one-fifth of all U.S. exports.

The Common Market get ready for all this by jacking up its agricultural tariffs before it got to Geneva, to put itself into a strong bargaining position.

We want those tariffs lowered, to which the Common Market replies, "No chance." So now we are resorting to an international grain agreement. We are seeking one that would (1) guarantee us "access" to at least as much of the European market as we've had, (2) provide that we share in any growth of it, (3) establish a range of world grain prices and (4) get a firm commitment from the Common Market to help us feed the hungry nations.

The Common Market offers us a loose sort of agreement that falls so far short of this as to be ridiculous. It proffers all the rest

of the world, including us, 10% of their food market (as compared with 14% now) and there's nothing in the offer, so far, to guarantee even that.

We doubt the value to us of such an agreement in the first place. Second we doubt that we can come out with a "good" one according to our standards, although it is too early to say.

In the first place, international commodity agreements aren't meant to favor efficient producers like us who, in a competitive market, could take more of the marbles. They are meant to protect the inefficient. The idea is to parcel out the market in "shares," with everybody's share safe and secure and not exposed to competition. That's what the Europeans, most of whom are socialists in some degree, call "stabilizing" markets and making them "orderly." Actually it's a cartel.

Second, such agreements aren't kept; as soon as they get uncomfortable for somebody, they are ignored.

Third, they can be a way of legislating U.S. farm policy by way of Geneva. There's a feature in the proposed agreement—suggested by the United States—which illustrates what we mean. It is a proposal to raise the world price of wheat 40 cents a bushel. That would put it above the market.

What would that do? It would hold a price umbrella over less efficient nations encouraging them to go heavier into wheat. It would cut world demand for wheat. And when the price got so high the market couldn't decide who was to make the sale the sellers would have to decide it among themselves. We'd get a "share," and that would be it. To live within such a share we'd have to adopt "appropriate" policies, like acreage control, unless we were willing to give away unlimited amounts or store up surpluses again.

We could guarantee "access" another way, if we'd be tough enough: We could withhold tariff concessions on industrial goods until Europe got tired of it. As for food aid, we prefer President Johnson's idea of getting countries to cooperate through the World Bank, furnishing surplus grain if they had it, cash if they didn't.

The truth is, the fate of the Kennedy Round depends in considerable measure on whether there is a grain deal. And the danger is that we may be so anxious to see the GATT negotiations come to something substantial that we make a face-saving deal on grain, at the expense of farmers rather than in their long-range interests.

Unless we can bargain for tariff reductions, not a "share" in a cartel, we might better come home June 30 and await another day. We doubt that anything catastrophic would happen in the meantime.

THE SINO-SOVIET RELATIONSHIP

Mr. DOMINICK. Mr. President, Brig. Gen. James D. Hittle, U.S. Marine Corps, retired, has for a number of years been both one of the foremost and most forceful of spokesmen for those who approve a clear, cold look at the dangerous and complex Sino-Soviet relationship and its possible effects upon the United States.

General Hittle, who is Director of National Security and Foreign Affairs for the Veterans of Foreign Wars and a syndicated columnist of the Copley News Service, recently published two articles on this critical issue, articles which I believe deserve widespread reading and the most thoughtful consideration by every American.

General Hittle was among the very first, if not, in fact, the first, to indicate

that the present turmoil in China might very well have as its basis the growing breach between Red China and Red Russia. Circumstances and developments in recent weeks appear clearly to prove the wisdom and value of this conviction.

Mr. President, I ask that the text of these two articles by General Hittle to which I have referred be included in the body of the RECORD following these remarks.

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

[From the San Diego Union, Jan. 22, 1967]

PRO-RUSSIANS PURGED?—SINO-SOVIET SPLIT MAY BE BEHIND TURMOIL IN CHINA

(By Brig. Gen. James D. Hittle, U.S. Marine Corps, retired, Director of National Security and Foreign Affairs, Veterans of Foreign Wars)

WASHINGTON.—Much mystery hangs over the Red China mainland. However, the big question mark over all the clash and clamor is the Kremlin.

Somewhere in the background of the bizarre events shaking Mao Tse-tung's hold on what could be a tottering regime is the basic issue of Peking-Moscow relationships. It is too early in the power play to see Russia's role clearly and fully, yet there are clues that strongly support the speculation that the Sino-Soviet rift is an important factor in the incipient civil war on the China mainland.

PUTTING THE PUZZLE TOGETHER

This is the way these pieces in the Red Chinese jigsaw puzzle seem to fit into place: Struggle for power is a traditional and inherent characteristic of the Communist system. This has been the case from the early days of the Communist movement in the Soviet Union. There were the Mensheviks and the Bolsheviks. Then came the Trotskyites and the Stalinists, followed by the purges, power-grabs and assassinations since Josef Stalin's death.

Because the Communist system is inescapably totalitarian and dictatorial, it cannot tolerate division of authority. This principle applies to communism nationally. It also applies to international communism.

This is why, in spite of superficial issues overemphasized in the West, the struggle for leadership of the world Communist camp is so fundamental to the Red Chinese-Russian feud.

DETERMINED TO BE RED BOSS

Mao, as the self-appointed successor to Stalin, was determined to wear the mantle of boss of the world Communist movement. Regardless of the squabbling in the Kremlin after Stalin's death, Moscow had no intention of letting Mao get away with the power-grab.

With much astuteness, the Kremlin went about the job of isolating Red China. One of the principal weapons of the Kremlin was its industry. Although hard up for many products at home, Russia delivered the goods in terms of military and economic assistance to Communist regimes around the world.

Red Chinese agents preached and promised but could not deliver like the Kremlin.

The 23rd Communist Congress in Moscow, in March, 1966, had far more significance than was realized generally in this country and Europe.

The Communist countries attending and supporting the Soviet Union, rather than sticking with Mao, demonstrated that Red China was a veritable outcast of the Communist camp.

BREZHNEV TOOK TOLERANT VIEW

Contrary to expectations, the Kremlin did not read Peking out of the international system. In fact, the manner in which First

Secretary Leonid Brezhnev handled the Red China rift surprised many.

He seemed to take a tolerant view of Mao's mischievousness. His attitude was almost casual as he prophesied the reestablishment of friendly relations with Communist China.

Was he saying, in effect, that there was a strong faction in the Red Chinese hierarchy that, with Mao's passing, would restore Russian-Red Chinese cooperation? That could have been what the Peking hotheads thought.

The purge and turmoil soon began.

COULD HAVE TRIGGERED TEMPEST

Brezhnev's lightly veiled boast could well have helped trigger the tempest engulfing Mao's realm, bringing Red China to the brink of civil war.

Whether a Russian reapproachment faction does exist in Red China, as Brezhnev hinted, is not as important as the fact that Mao apparently took the hint and is hooked on a potentially disastrous purge.

If it does turn out that such a faction does not exist, Brezhnev's suggestion that it does, would be, figuratively, one of the biggest and most effective "red herrings" in the whole smelly history of Communist intrigue.

[From the San Diego Union, Jan. 23, 1967]

MILITARY TIE IS SUSPECT—RUSSIA CLUE TO PEKING TROUBLE

(By Brig. Gen. James D. Hittle, U.S. Marine Corps, retired, Director of National Security and Foreign Affairs, Veterans of Foreign Wars)

WASHINGTON.—There are more clues that Russian-Red Chinese relations are an underlying factor in Mao Tse-tung's purge.

What is involved is the increasing number of high Red Chinese economic and military officials being made targets of Mao's rampaging Red Guard.

It is precisely this element of the Communist Chinese hierarchy which could have cautioned against widening the rift with Russia to the point of an open, irreconcilable break.

Take for instance the recently reported Red Guard arrest of Gen. Peng Teh-huai. Peng was no routine casualty of the purge. He was commander in chief of Red Chinese military forces in the Korean War. Later he moved up the Communist power structure to defense minister and also vice premier of Red China.

PRIME SUSPECT

If Mao's clique believes, as frantic political maneuvering indicates it does, that there is a faction in the Communist Chinese hierarchy that favors at least a working reconciliation with Moscow, then Peng would be a prime suspect.

As former commander of the Red Chinese forces in Korea, he has a background of working with the Soviet Union. Mao's army in Korea was essentially a Russian-equipped army. These were the days when Stalin was giving, and Mao was taking, huge amounts of military assistance.

Thus, the logistic support of Mao's aggression against Korea depended on close and continuing command and staff coordination between the Russians and Red China.

Peng, as Mao's field commander could not have avoided learning his lesson of how much the Red Chinese military machine depended on Russian supplies.

HEAVY EQUIPMENT

The reason is simple: The military equipment of the Communist Chinese army was largely Russian. This was particularly so in tanks, trucks, heavy weapons, and complicated electronic items.

Peking, since the Korean War, has made extreme efforts to develop a self-sufficient armaments industry. Again, however, Mao's accomplishments do not match the goals.

Intelligence reports from Asian sources

are that Russian-made vehicles, and heavy and complicated equipment, still are widely used in the Communist Chinese army. This material is getting old. It also is wearing out.

SUPPLIES CUT

Russia reportedly has cut the flow of critical military spare parts to a trickle. . . . It is not enough to keep the Red Chinese army in repair. It is enough to be a constant reminder to the military commanders that the solution to their logistic repair problem depends on getting along with the Soviet Union.

Little wonder, then, that Mao's firebrands could suspect that Peng, who worked so closely with the Russians, might be harboring hopes for reestablishing Russian logistic support of Red China's critical military equipment.

The Red Guard fear may be well justified that some army commanders feel the loss of Russian logistic support is too high a price to pay for Mao's continued posing as Stalin's successor. This may help explain the hesitancy, or inability, of Mao and Lin Piao to bring the full power of the army to bear against their opposition.

Mr. DOMINICK. Mr. President, along the same line of thought is a letter from Missionary Carl Blanford, who vividly describes his firsthand impressions of Communist China in support of the theory presented by General Hittler. I think Mr. Blanford's comments will add to our total knowledge of the situation in Communist China, and thus I ask unanimous consent to have his letter reprinted in the RECORD at this point in my remarks.

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

SAPAN LUANG CHINESE CHURCH,
Bangkok, Thailand, January 13, 1967.

DEAR CARL: Thank you for your letter of Jan. 1st, with good news about progress in the Yuma Church, and in an active witness in your community.

You ask about my opinions regarding the Vietnam situation. I think our government is doing the right thing in accepting the South Vietnam government's request for military aid against the Communist attacks. I deplore those in our country who would let the reds have a free hand in this part of the world. Firmness on the part of the U.S. has a great influence on weakening the communist power and influence. I think our firm stand in Vietnam was one of the factors that helped the Indonesian people oust the reds in their land. It is unbelievable the complete changeover that has taken place in Indonesia, and shows the deep hatred of people for the oppression of thought and action brought upon them by communist propaganda and police state methods. I think our pressure on the reds in Vietnam is also responsible in part for the breaking apart of unity within Red China itself. If we just let them take over these Southeast Asian countries as they planned to do, they would have more unity and less bickering among themselves.

I spent nine months under the Chinese Communists, and have come to hate their ideas and their methods. They cannot offer progress and hope to our world. I think hope for the bettering of the life of people lies in a more free society that offers better educational and economic opportunities to its people. How can a society progress when you systematically kill off all those who have the brains, ability and training to bring progress about. It seems to me that revolution can only be destructive, it can never bring about constructive improvement in society. (Especially in Communist forms.)

I think those who are shouting about

bombing of civilians in North Vietnam don't realize the true situation. In the first place, I have seen Communist armies living in schools and hospitals, and also in the homes of the populace. They cannot be destroyed without damage to the places where they are living, and without loss to the people around them. In the U.S. we separate military and civilian operations, but there is no such separation among the Asian communists. In the second place the Communists have killed many more civilians in South Vietnam maliciously than the U.S. planes have killed in North Vietnam by mistake.

War is a terrible thing, but the results of not stopping the reds would be even more terrible.

Our family moved to a new home on the campus of the Chiao Kwang Christian School last week. This is the new school being built by the members of the Sapan Luang Church. Construction on a 27-room classroom building will be finished in two more months, and we take in our first classes in May. Total cost will run about \$175,000. So far we have raised about \$125,000 here in Bangkok. We have requested help from the United Presbyterian Commission, but haven't had any answer as to whether or not they can help. We asked for \$40,000. God has blessed this project, and we are certain that He will provide, if not through the Presbyterian Commission, then by some other means. This school will accommodate about 1,000 students in grades 5 to 10.

Please give my greetings to all our friends in Yuma. Our next furlough comes in the summer of 1968, and hope to see you then.

Yours in Him,

CARL BLANFORD.

LEGISLATIVE REORGANIZATION ACT—COMPLIMENT TO SENATOR MONRONEY

Mr. HARRIS. Mr. President, never, since I became a Member of the Senate have I heard so many compliments paid to one Senator as I have heard in recent days concerning my distinguished senior colleague from Oklahoma [Mr. MONRONEY] on his outstanding work in connection with the Monroney-Madden legislative reorganization bill.

Both on the floor of the Senate and privately, Senators have expressed their admiration for the expert knowledge, diligence, and patience that he has exhibited in the preparation and handling of this important legislation.

I fully agree with the lead editorial, entitled "Salute to MONRONEY," published in the Washington Post of Thursday, March 9, 1967, in which it is stated:

Since he was also joint author of the Congressional Reorganization Act of 1946, he has earned the distinction of having contributed more than any other living person to the smooth operation of Congress.

The editorial further points out that the Senate by an overwhelming, 8-to-1 vote passed the bill. I might add that it is a tribute to Senator MONRONEY's legislative ability that only three amendments were adopted out of 31 rollcalls, so the bill has been sent to the House in virtually the same form in which it was reported by the Monroney committee.

Mr. President, Congress must be as modern and efficient as possible in its work if it is to remain a branch coequal with the executive department.

The senior Senator from Oklahoma is entitled to great credit from us and from the citizens of this country whom

we represent for his outstanding work toward this goal.

I ask unanimous consent that the Washington Post editorial be printed in the RECORD.

Mr. METCALF. Mr. President, the Senate acted wisely in passing the Legislative Reorganization Act on Tuesday of this week. I deeply regret that a promise made last year to participate in a conservation conference for the Northwest at Wenatchee, Wash., prevented my being present to vote on final passage. Had I been here, I would have voted for the bill.

The measure has been received in the House of Representatives, where the distinguished gentleman from Indiana, Hon. RAY J. MADDEN, will lead the drive for passage. His great ability and the confidence in which he is held by Members assure his success.

Mr. President, the Joint Committee on the Organization of the Congress, of which I was privileged to be a member, labored long and diligently to prepare the measure that has now received the overwhelming approval of the Senate. In its deliberations, the committee was uncommonly fortunate in its leadership. Possessed of unusual qualities of experience, knowledge, and skill, the distinguished Senator from Oklahoma [Mr. MONRONEY] brought to bear yet another unusual attribute—patience.

Senators have seen in the last several weeks during his splendid management of S. 355 the depth of Senator MONRONEY's knowledge of every facet of the legislation. They have seen him demonstrate an impartiality and a willingness to cooperate with all points of view, wherever compromise did not do violence to the fundamental reforms of the bill, persuading where he could not yield and, by his forbearance, saving virtually intact the second legislative reform measure considered by Congress in this century.

Mr. President, I echo the summation of the Washington Post editorial writer who said this morning:

Since he (Senator Monroney) was also joint author of the Congressional Reorganization Act of 1946 he has earned the distinction of having contributed more than any other living person to the smooth operation of Congress.

Mr. President, Senator MONRONEY's leadership was superb, and I am proud to have been associated with this great effort.

I join in the unanimous-consent request of the distinguished junior Senator from Oklahoma [Mr. HARRIS] that the editorial be printed in the RECORD.

The PRESIDING OFFICER. Is there objection to the unanimous-consent requests of the Senator from Oklahoma and the Senator from Montana?

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

[From the Washington Post, Mar. 9, 1967]

SALUTE TO MONRONEY!

It has been customary to speak of the Monroney-Madden bill as a conglomeration of minor congressional reforms. The description is accurate in the sense that it does not touch filibustering or the major leadership problems of the two houses. But the passage through the Senate of a bill which over-

hauls the lobbying law, sweeps out political postmasters, upgrades staff, opens hearings to the public, reforms the Capitol page system and provides a summer vacation for Congress is no minor achievement.

The improvement of the Lobbying Act is itself a highly significant reform. Under the Supreme Court's interpretation of the law, the number of persons registering as lobbyists has sharply diminished. The new version will require individuals and associations who are paid to influence legislation to identify themselves if lobbying is a "substantial purpose." At present they do not need to operate in the open unless lobbying is their "principal purpose." Senator Monroney may have been too optimistic when he estimated that the new bill would place 90 per cent of the paid lobbyists on record in contrast to the current 10 per cent; nevertheless, the improvement should be substantial, and administration of the law by the Comptroller General will enhance its effectiveness.

The elimination of Senate confirmation of postmasters and House control over rural carriers in favor of merit appointments wholly within the Post Office Department is likewise a reform of major proportions. This relinquishment of the traditional patronage plum was sold to the Senate as a means of freeing itself from "time-consuming activities," but it might even help the Post Office to reduce its colossal deficit.

The "bill of rights" for committees should curtail the power of arbitrary chairmen and permit a majority of the members to function in more democratic fashion. An increased flow of information through the Legislative Reference Service, improved fiscal studies, review specialists and legislative assistants should improve the efficiency of Congress. Certainly it makes sense too for Congress to take a vacation in August, unless the country is in a declared war, even if it must return in the fall to finish its work. And a special bit of applause is in order for the move toward a professional Capitol Police Force and for free guide service on Capitol Hill.

Some of Senator Monroney's colleagues were impatient because he insisted on holding his reform package to the original proposals which had been carefully studied by the Joint Committee. The outcome shows that he was wise in clinging to his limited purpose. Since he was also joint author of the Congressional Reorganization Act of 1946 he has earned the distinction of having contributed more than any other living person to the smooth operation of Congress. The House ought to duplicate the Senate's 8-to-1 vote for the Monroney-Madden package at the first opportunity.

THE 150TH ANNIVERSARY OF THE HARTFORD TIMES

Mr. DODD. Mr. President, few newspapers equal and none surpass the Hartford Times in honorable and continuous service to the general public.

It has given Connecticut 150 years of fair, reliable, often exciting, and always challenging news coverage.

I know we can expect at least another 150 years of equally high quality service by the Hartford Times.

As a life-long resident of Connecticut and a daily reader of this newspaper, I congratulate the owners and the staff of the Times on their 150th anniversary.

REDUCTIONS IN PROGRAMS UNDER TITLE I OF ELEMENTARY AND SECONDARY EDUCATION ACT

Mr. McGEE. Mr. President, in the last several days I have received many let-

ters from school administrators throughout the State of Wyoming in reference to reductions which have been made in their programs under title I of the Elementary and Secondary Education Act. I have called this situation to the attention of the Commissioner of Education; however, I would also like to bring it to the attention of the Members of this body since I feel this situation is of concern to all of us.

That the case of our Wyoming schools is not unique. I am certain a similar situation apparently exists in school systems throughout the entire country. During the first year of the operation of these programs adequate funds were made available and activities under title I were conducted in a most satisfactory manner. In planning for its second year of operation, my Wyoming school administrators were advised that there would probably be some reduction in the funds, but they could plan on being funded at 90 percent of the first year level. Unfortunately, at this time I do not know specifically who made such representations or in what capacity any such individual acted. It was obviously someone in a responsible position, however, since my school administrators acted on this advice and planned their programs with a 10-percent reduction of funds anticipated. These particular school men are well known to me, and I have great confidence in their professional and administrative abilities. I am certain they would not have taken such action had not specific representations been made by someone on whom they thought they could rely.

Just recently these school administrators were advised of the substantial reduction of their title I funds far in excess of the 10 percent which they had anticipated and on which they had planned. In each case this has left an individual school system with a shortage of funds involving several thousands of dollars at this midpoint in their fiscal year. Without exception these school districts are operating under rather strict budgetary and fiscal policies, and this amount will work a definite hardship on both the administrators and employees of the school systems.

This condition is aggravated by the fact that while some schools have been denied adequate funds, other schools have not taken up their full allocation, and for that reason there are actually unused funds for the State of Wyoming and the Nation as a whole. It is my understanding that the Department of Health, Education, and Welfare has concluded by administrative action, however, that these unused and uncommitted funds may not be reallocated to those districts or areas in which they are so badly needed.

We all realize, of course, that the Office of Education, like any other Federal instrumentality, must operate with the funds provided by Congress. I would suggest, however, that more adequate planning and closer cooperation with the school districts would be in order. Undoubtedly, had the school administrators been advised of the funds which would be available regardless of what that

amount might be, they could have taken this into consideration in their budget processes. Coming as this does, however, in the middle of their fiscal year, it is most damaging. I hope that the Commissioner of Education will take appropriate action at this time to alleviate the present condition to every extent possible. Likewise and perhaps more important, I hope that the Office of Education can plan ahead on a sufficient basis so that the local school districts will know what funds might be available to them in ample time to plan for their forthcoming fiscal year. This, I believe, they have a right to expect, and correspondingly, I feel the Federal agency has an obligation to fulfill in this regard.

THE FLOOD OF FOREIGN TEXTILES

Mr. TOWER. Mr. President, last week the distinguished chairman of the Subcommittee on Textiles of the Committee on Commerce addressed the Senate on the serious situation which has developed in the textile industry as a result of burgeoning textile imports.

Senator PASTORE deserves our thanks for focusing attention on the increasing difficulties being experienced by the industry and by workers in the textile industry as a result of the cheaper flood of foreign textiles which land at American docks daily. There can be no doubt that the position of American textile manufacturers deteriorates still further and further with every bolt of material lifted from the holds of importing carriers.

The Senator from Rhode Island has already quite adequately outlined for the Senate the history of our efforts during the past decade to discourage excessive imports. I wish to draw attention today to the current situation and the effect on our balance of payments, and to make some observations on the overall causes of this dilemma.

The disadvantaged position of American textiles—both in domestic markets and as exports to foreign markets—is only an example of the overall problem facing American industries: high costs—especially labor costs—and their effect on American ability to compete in international markets. As has been pointed out, American manufacturers are having to compete with industries which have been built partially as a result of American goodwill expressed in foreign aid.

I cite this contributory factor—high labor costs—certainly not out of any desire to see American workers receive lower wages, but in the realization that it is a factor with which we will have to contend for some time to come. If we are to effectively surmount the problem, we must look elsewhere for the solution.

Senator PASTORE has suggested the need for more effective Government action in administration on the long-term arrangement now in effect governing imports of cotton goods. He proposes new international agreements to give relief to our woolen and synthetic textiles industries.

In any event, strong measures of some

sort need to be undertaken. It will not be enough to raise a protective tariff umbrella over the industry and keep it raised even when the sun begins to shine. We must guard against assuming that all we have to do is invoke tariff relief and forget about the problem.

We must have activity aimed at genuinely strengthening the industry. A protected industry is not necessarily a strong industry just because it is being artificially assisted. What is needed is a thorough study and implementation by the industry of ways American manufactures can compete with more cheaply produced foreign manufactures. We have many strengths to offset our disadvantage as a result of high wage rates. Our industrial laboratories are the envy of corporate scientists around the world; American selling techniques are models for nearly every other country; the quality of workmanship and goods is unexcelled. Probably no other country has a per worker capital investment ratio as high. Surely these advantages must outweigh our fortunate disadvantage of high wage rates.

Two years after the end of World War II, the United States was enjoying a textile trade surplus of over \$1 billion. Last year the United States imported \$902 million more in textiles than it exported. Our \$1 billion advantage reversed to nearly as great a disadvantage in the period since 1947. Our trade balance overall is not strong enough to absorb the brunt of this drain on our gold supply.

In 1961, we were importing 964 million square yards of textiles of all types; in 1962 we bought 1,543 million square yards from abroad; in 1963, 1,494 million square yards; 1964 saw imports rise again to 1,523 million square yards; in 1965, imports jumped to 2,083 million square yards, and last year, while imports of wools decreased, imports of cotton and manmade fibers pushed the figure to 2,811 million square yards.

Mr. President, freer movement of goods between friendly nations is to be valued: our policy should basically strive for that goal. Trade and commerce are, indeed, valuable tools for encouraging enduring friendship between already friendly nations. Trade protection is best used as a tool to be used sparingly and in an enlightened manner—an aid for a time to cushion vast economic shocks.

I do not doubt, Mr. President, that the situation which confronts the American textile industry is serious; and I believe we may properly act to restrain textile imports at this time. I urge we do so. It is now time for serious consideration of the feasibility of providing some effective governmental relief.

UNITED STATES SHOULD OPENLY FINANCE STUDENT TRAVEL TO INTERNATIONAL YOUTH CONFERENCES

Mr. YARBOROUGH. Mr. President, in an excellent column published in the New York Times of March 7, Tom Wicker asks:

Is there any reason why an American delegation to a world youth festival cannot be

financed openly and honorably by the Federal Government, or by one of the private foundations untainted by CIA money?

Mr. Wicker feels that "there is no reason and there never was any reason except the reluctance of Congress to appropriate such money."

Whatever may have been the political realities of the past that would have made it difficult to get Congress to appropriate funds for international student conferences, the situation is different today. Congress should authorize and appropriate funds so that American students with their expenses openly supported by their Government can represent the United States at these international conferences. In this regard I have introduced S. 981, a bill to amend the International Education Act of 1966, in order to authorize grants to individuals broadly representative of American students for travel to international youth conferences.

I ask unanimous consent that Mr. Wicker's article entitled "Vive la Difference" be printed in the RECORD.

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

IN THE NATION: VIVE LA DIFFERENCE

(By Tom Wicker)

WASHINGTON, March 6.—President Johnson's special representatives are studying the Central Intelligence Agency to see what changes, if any, should be made following the discovery that the agency had penetrated a number of private organizations while carrying out its work.

The difficulty is that no conceivable recommendation can reach the most difficult problem that has been disclosed—the attitudes of the men who carry out secret operations, of those supposed to be in "control" of them, and of the politicians who underwrite the effort.

The New York Times published this morning a compilation of the views of many of these men, none of whom could be quoted and few of whom will even talk to the press under normal circumstances. It was a disturbing account.

PUBLIC BLAMED

Those interviewed appeared to be upset only at what they considered a setback to their program. They believed it now would be harder for them to do their work. And they tended to blame a naive public for not understanding the nature of the challenge.

They made it clear that they regarded the United States as in a battle with "Communism" for influence in other countries; that they thought this battle could only be won with the aid of extensive covert expenditures and propaganda; and that whatever "the other side" did in this war had to be matched by "our side."

Now that the C.I.A.'s secret connection with the National Student Association has been broken, for instance, the intelligence men fear there will be no American delegation at the world youth festival in Sofia next year; and one said that "the question is whether the international youth movement is going to be taken over completely by the Communists without a fight."

MORE IMPORTANT QUESTION

But there is a more important question: Is there any reason why an American delegation cannot be financed openly and honorably by the Federal Government, or by one of the private foundations untainted by C.I.A. money?

There is no reason and there never was any reason except the reluctance of Congress to

appropriate such money; that is why the C.I.A. has had to hand it out secretly. But if student activities are as important as the agency rightly claims, if American representation at Sofia and elsewhere is now endangered, surely the Administration could make a good case in Congress for the small amounts needed, especially since the publicity of recent disclosures.

That not only would provide representation, it would provide it honestly and openly, without taint of espionage. And if its Government sponsorship would then be public knowledge, certainly the government sponsorship of Communist delegations is as widely known.

VITAL PROPAGANDA

The officials interviewed laid great stress on the vital importance of propaganda and secret influence in other countries. As one man said, putting "a little money" into a free labor union "to keep it alive" may be necessary; but can it only be done by subverting similar organizations in our own society? And can it really be contended that secret tampering with and subsidization of governments, institutions and individuals in other countries is anything but a sort of last-ditch stand made necessary only by the failure or absence of other, more open means?

Such means exist—effective aid to hard-pressed economies, for instance (which Congress is so reluctant to vote); sensible assistance, education and training programs; friendly and understanding efforts to help people help themselves; even military protection, if that becomes necessary. Such efforts to help the under-privileged of the world begin to realize their aspirations simply dwarf the importance of secret operations, propaganda and purchased influence.

It may be more glamorous, easy and acceptable in Congress to fight "Communism"—if there is any such monolithic force as the term implies—with covert operations and "dirty tricks," rather than with aid, understanding, friendship and example. But to accept the view that whatever the "other side" does has to be done by "our side" is the moral equivalent of justifying the means by the end; it is the political negation of the idea that there are democratic, American means of accomplishing worthwhile ends; and it begs the question whether, in the long run, there is any real difference between "our side" and "the other side" worth fighting about.

No one can deny that there is a struggle in the world from which Americans cannot escape, but some of them will persist in believing that there is a difference in what this nation and its adversaries stand for, and that that difference requires of us not only the fight itself but different means of waging it.

If that be naïveté, make the most of it.

AMERICAN AUTOMOBILE ASSOCIATION STATEMENT ON DEFERRAL OF HIGHWAY FUNDS

Mr. BAYH. Mr. President, on February 27 and 28 the Senate and House Committees on Public Works held joint hearings on the deferment of Federal aid to highways. The fact that such an almost unprecedented step was taken is a clear indication of the seriousness of the problem as well as congressional concern for the future of the vital Interstate System.

On February 27, Mr. Alan Boyd, Secretary of Transportation, announced that \$175 million in deferred funds was being released immediately—a comparatively small sum in itself but an indication that the administration was moving in the right direction. Mr. Boyd's welcome

news was followed on Tuesday by the testimony of the Director of the Bureau of the Budget, Mr. Charles Schultze. Mr. Schultze stated that additional funds probably would be released shortly. In addition, President Johnson has implied that a significant restoration of highway trust fund money could be expected before the end of the fiscal year. On the basis of these good faith statements the joint committee voted to recess the hearings subject to the call of the distinguished chairman, the Senator from West Virginia [Mr. RANDOLPH] and Representative FALLON.

Mr. President, due to the sudden change in the committee's schedule, a number of witnesses who had been asked to testify did not have the opportunity to appear in person. Although their statements will in time be printed in the hearing record, some of them deserve more immediate attention. I am certain that Senators will be particularly interested in the views of the American Automobile Association because of the long period of time it has been studying problems of traffic safety and its acknowledged expertise in this important field. As the executive vice president of that organization points out, the greatest danger which may come from the cutback will be "to delay the building of modern, controlled-access highways which, it has been proven beyond doubt, contribute to traffic safety."

Mr. President, I am pleased to notice also that the American Automobile Association indicates its support for Senate Concurrent Resolution 10, the sense-of-Congress resolution I submitted on February 15 and which now has 49 co-sponsors. Senate Concurrent Resolution 10 calls on the President to restore all of the deferred and frozen Federal highway funds.

In view of its immediate significance, Mr. President, I ask unanimous consent that the full statement by Mr. George A. Kachlein, Jr., executive vice president of the AAA, be printed in the RECORD.

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

FEDERAL AID HIGHWAY PROGRAM

(By George F. Kachlein, Jr., executive vice president, American Automobile Association, before Senate and House Public Works Committees, Mar. 2, 1967)

My name is George F. Kachlein, Jr. I am Executive Vice President of the American Automobile Association—a national federation of motor clubs with more than ten million members who are owners and drivers of passenger cars.

We appreciate this opportunity to inform the Congress of our reasons for opposing what we consider to be a wholly unjustified cutback in the Federal-aid highway funds, previously apportioned to the states, and on which they had based their roadbuilding programs.

Certainly the pledge of the Administration restoring the Federal-aid highway program to a \$4.4 billion expenditure schedule, beginning July 1, 1967, as announced by the Secretary of the Department of Transportation, Alan S. Boyd, on Monday is good news for the motorist and the economy.

We were gratified to learn that the Executive Branch intends to repair some of the damage caused by last November's sudden cutback through an immediate token resto-

ration of \$175 million for land acquisition and preliminary engineering. We hope that the Executive Branch can follow this up very quickly with additional construction funds to move some of the projects where preliminary work already is completed.

During the past few days you gentlemen have heard considerable testimony regarding the economic effect of the cutback in Federal-aid highway funds announced last November. At this time, I should like to concentrate my testimony on the effect of the cutback on the persons who are footing the bill for this entire operation—the highway users.

You will recall that back in 1956, highway users enthusiastically supported the great expanded Federal-aid highway program to give the nation the roads it so desperately needed. Highway users even agreed to—and vocally supported—increased special highway user taxes to support the effort. A trust fund was established to assure these taxes once collected would be used for highway construction. From that day to this, despite obvious advantages to other beneficiaries and contribution to the defense effort, highway users have continued to bear the sole burden of financing this great road enterprise.

In the interim, highway users have been subjected to increased taxes to make sure that this expanded program—especially the 41,000-mile National System of Interstate and Defense Highways—should not be unduly delayed.

From the standpoint of the user, the most dangerous effect of the cutback is to delay the building of modern, controlled-access highways which, it has been proven beyond doubt, contribute to traffic safety. Thus, the cutback is mystifying to the user at a time when the Federal Government is laying such stress on safety, with stringent requirements for safer vehicles and for state and local traffic safety programs.

There has been much contention of late concerning the relative contribution of the driver, the vehicle, the road and the pedestrian to the over-all problem of traffic safety. Yet the nation knows that good roads save lives.

Experience to date shows that Interstate highways are at least twice as safe per vehicle-mile of travel as the older highways which they have replaced. When the entire network is completed, it is estimated that it will save at least 8,000 lives per year.

Each week in 1966, over 1,000 Americans met death on our nation's highways. It seems frightening to us that, faced with a weekly domestic casualty rate many times that of the war in Vietnam, we callously delay known and proven remedies. Delays in committing every penny of available resources at the earliest possible moment will cost us hundreds of lives and tens of thousands of injuries.

It should be emphasized that the Federal-aid program is more than a highway construction project.

One of the most important new highway safety programs initiated by this Administration in the last several years was the spot improvement program designed to eliminate hazards at high accident locations. Approximately three years ago President Johnson called upon the Department of Commerce, through its Bureau of Public Roads, to undertake an accelerated attack on traffic accidents. In this connection he indicated that states and local governments, "... should be encouraged and assisted in developing priority safety programs, giving special attention to hazards on highways with high accident experience."

Following this expression of personal concern by the President, the Bureau of Public Roads initiated the Highway Safety Improvement Program which was designed to accomplish the ends spelled out by the President.

Emphasis on this program was considered so important in 1965 that the Bureau requested each state to complete an inventory of all such hazardous locations and to eliminate them by 1969. States were warned that approval of other Federal-aid projects might be deferred until adequate provision had been made for such safety improvement projects. Clearly the Federal Government meant business in the elimination of these hazards. It received the full support of AAA, even to the extent that we developed a traffic hazard elimination guide for the use of AAA Clubs in processing hazardous locations reported by members.

Over the relatively short time that the states have been participating in this program, there has been a constant increase in the proportion of their Federal-aid funds devoted to this activity. Almost 8% of their project costs of AB highways is channeled into these safety improvement projects. During the second quarter of 1966, the Secretary of Commerce reported that such improvement projects undertaken in that quarter equaled 21.1% of the cost of all ABC projects of that quarter. When one realizes that the cutback announced the following quarter represents even more than the amount assigned to this activity, one can only speculate on what effect this cutback had on the scheduling of these projects. We feel that it would be pertinent for this Committee to investigate this situation to determine if, in fact, there has been any slowdown in the systematic elimination of these hazardous locations.

Just last week the Bureau of Public Roads announced an ambitious new program designed to reduce traffic congestion in our downtowns. As we understand the proposal, Federal-aid funds will be used on major arterials even though they might not now be on existing Federal-aid systems. The funds also may be used on most of the street grid in the downtown area and for transit loading platforms.

Last year we celebrated fifty years of partnership in the Federal-State joint responsibility for construction of highways. Some taxpayers who are paying for this program are taking a very close look at the direction this partnership has taken in the last few years. What kind of a partnership is it when one partner can make a unilateral decision, without even consultation with the other partner, to withdraw or reduce his financial support? What kind of a partnership is it when one partner can unilaterally penalize the other for failure to take actions which are only indirectly related to the principal purpose for which the partnership was formed?

A few short weeks ago a report estimating costs of implementing the Beautification Act of 1965 was sent to Congress. Up to \$3 billion was estimated as the cost for eliminating billboards, screaming junkyards and otherwise improving the aesthetic qualities of our highway corridors. AAA has been in favor of highway beautification for many years and strongly supported the legislation in 1965, but isn't it time that we took a look at priorities? How can we seriously propose the implementation of this program while at the same time delay the construction or improvement of the basic facility which the beautification program is designed to enhance?

After the comprehensive toll road hearings held by the House Public Works Committee last year, all of you gentlemen are well aware of the pressures in some states to finance the building of badly needed modern highways through toll charges. On again-off again support for our highway program provides arguments for the backers of toll roads in their efforts to get states to support this highly expensive method of road building. The user then pay twice for the same road—

once through his state and Federal user taxes, and again through tolls.

We also want to add emphasis to the testimony of other witnesses on the increased costs associated with the speedup and slowdown scheduling of public works projects. This affects the taxpaying highway user very seriously. He obviously will get fewer highway improvements for his tax dollars. Not only will costs go up by the task of recovering lost momentum in the construction industry, but there also is the element of inflation. Prices went up seven percent in 1966. Under such conditions, a deferment of spending available funds means only one thing—the general public is the loser.

The whole history of the Highway Trust Fund clearly represents a commitment by the Federal Government to provide services in return for prepayment of the costs of those services. To refuse to provide such services which continuing to charge for them is a breach of faith with the people. It is entirely inconsistent with President Johnson's statement made at the signing of the Federal-aid Highway Act of 1964. Then he stated:

"For much too long the man who owns and drives an automobile has been treated like a stepchild. We require him to pay for the highways he uses and we require him to pay in advance. We divert his taxes to other uses and we delay the building of the roads that he deserves. . . ."

Less than three short years after this expression of keen insight into the problems of highway users, we appear to have a complete turnaround.

Is it any wonder that the user is beginning to ask himself:

Is the Trust Fund really a trust fund at all, or is that a misnomer?

Should additional safeguards be built into the present Highway Trust Fund?

Is this whole process legal?

If the Federal Government promises to perform certain services, provided that the states do certain things, can the Federal Government then refuse to provide those services when the states have fully complied with established requirements?

If the Executive Department is permitted to use the Trust Fund as an extension of its fiscal policies, how can the states plan for the orderly utilization of Federal-aid highway funds? One of the chief benefits of the Trust Fund has been the certainty of the Federal Government's level of participation in the road building program. If this element of stability is removed, then the uncertainty will affect the programing of the states and could result in more inflation.

Isn't a precedent being established by this action which will permit the Executive Branch to reduce arbitrarily the level of authorized expenditures without any regard to the availability of Highway Trust Fund receipts?

AAA recommends that this Joint Session of the Senate and House Public Works Committees recommend to the Congress a resolution expressing the sense of Congress that expenditures from the Highway Trust Fund be in accordance with and equal to the amounts authorized by the Congress.

LETTER FROM A PEACE CORPS VOLUNTEER

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the text of a letter from a Peace Corps volunteer to the director of the Selective Service System in his State. It would be inappropriate for me to offer any opinion on the merit of this volunteer's appeal for a deferment of military

service until the completion of his tour of duty in the Peace Corps. I commend this letter to the attention of the Senate because of its eloquent and sensitive exposition of a Peace Corps volunteer's concept of his work.

In all my experience, I have never seen a more impressive account of why the Peace Corps is an important activity, important not only to the host country but equally to the preservation of our own self-respect, or what some of us like to think of as the American dream.

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

DECEMBER 16, 1966.

Col. MORRIS S. SCHWARTZ,
State Director, Selective Service System,
Western Republic Building, Austin, Tex.

DEAR COLONEL SCHWARTZ: I am writing this letter to request an appeal on the draft classification that my local board in Amarillo recently sent, as they declined to consider giving me a one-year deferment with which to finish the job I am involved in before I undertake my military service. I think this work is probably the most important and most worthwhile thing I have done in my life, and being right in the middle of the job, would like very much to have your careful consideration given to my appeal. To help you understand what the Peace Corps is doing in Colombia, and my part in it, I am going to describe my site and my work in the past year in some detail, with your indulgence.

Acción Comunal, as it is called in Colombia, or community development, as it is known to social scientists, is at least half educative and half concerned with the realization of physical projects. The educative aspect is concerned with changing the attitudes of the very poor Latin American about his own worth as a human individual and about his ability to act on his own behalf for the material well-being of himself and his community. In the United States we take voluntary associations from labor unions to Boy Scouts to the United Fund completely for granted. We form them and dissolve them in enormous quantities nearly every day in our society for purposes as diverse as the protection of animals from inhuman treatment to the canvassing of precincts in behalf of our favorite candidate at election time. Such voluntary associations, and the plethora of them, was one of the most notable features of American society in the eyes of the French social scientist, Alexis de Tocqueville, when he made his historic trip through the United States during the presidency of Andrew Jackson. In his classic of social analysis written following that trip, *Democracy in America*, he asserted that voluntary associations are characteristic of more or less egalitarian, mass societies such as developed in our country. De Tocqueville pointed out how they take the place of oligarchies: the European commoner in the same period had to seek the help of some noble or cleric to represent his interests before the government. In the United States, the common man, rather helpless as a single individual, forms an association of like-minded fellow citizens which uses the sheer weight of its numbers and pooled resources to influence public opinion and government for its cause. Even the high school civics student is aware that pressure groups or lobbies have become institutionalized appendages to our legislative process at all levels, though never provided for in the Constitution.

The experience of Latin America has been just the opposite. In contrast to British colonial policies of the same period, the Spanish kings tried to administer the American possessions to the greatest extent pos-

sible, given the technology of communication of that time. After the wars of independence that the various Latin American republics waged and won in the first decades of the nineteenth century, conditions for the indigenous masses didn't change much. In fact, they only really succeeded in exchanging the rule by Spanish oligarchy for rule by the creole oligarchy—the wealthy and powerful families that literally owned whole countries among themselves. Four hundred years of Colombian history, in this specific example, has shown sadly enough that government by oligarchy has provided very few social benefits and pitifully small material progress for the masses of the people. Surely, historians of the next century will describe this century as the one of the great social transformations, perhaps as one of the great social revolutions. We can already see that the revolutions that will characterize these times when we were alive began in war and savagery; Leon Trotsky said after the Russian Revolution was well underway that the man who wanted to live a quiet life in our times had simply picked the wrong century in which to be born. Since the Russian Revolution, we have seen what happens when long-suffering peoples suddenly decide that they can endure no longer: China, Cuba, and even Viet Nam at its saddest and most brutal; Mexico, India, Bolivia as cases that happily didn't result in totalitarianism as a result of popular social upheaval.

We in the Peace Corps believe that the social setting in Latin America, and in a host of other countries in the world, is revolutionary in the sense that profound social change in behalf of, and on the part of, the miserable masses is imminent. But, we think that a revolution in flames is a wretched last resort that only despairing peoples resort to. We hope to be able to help the process along gradually and permanently without having to abandon these people to the horrors of purges and firing squads and deportations to concentration camps at the hands of the Stalins of the world.

These are grand designs, admittedly, but that is the total scene we hope to contribute to, a mosaic of social justice, each small tile represented by the effort made by each of us working with the Colombian government and the Colombian people, who will compose the final scene according to their own culture, history and tastes.

I am working in a very tiny town in the poorest and most-abandoned province of the Department of Cundinamarca in the Colombian Andes. The site had never been worked by a Peace Corps Volunteer or a Colombian Promoter of Acción Comunal. The town would be a pretty sad place indeed if it weren't for the people. It is an arduous six-hour bus ride on a winding, bumpy one-lane dirt road from the capital city, Bogotá. But that six-hour ride in many ways takes you more than six hours from what Bogotá represents. It takes you back into the fifteenth or sixteenth century, and, in agricultural technology, to Egyptian times. Ubalá, the town, is a very peaceful little cluster of adobe and red clay tile-roofed houses on a mountain side. It probably won't always be peaceful, though, unless things begin to change. Inevitably, the people will become more and more aware of the differences between the way they live, and life in Bogotá, a modern city of parks and wide avenues, tall buildings, and the elegant houses of the very rich: the cruel parade of life in our times—the contrast between the very rich and the very poor—the contrast between space capsules and wooden plows drawn by oxen on sterile, tiny, mountainous farms.

I have been in Ubalá for about ten months now. I came in February of this year. I have had an enormous amount of work to do. First, I have had to gain the acceptance and then the friendship and confidence of the people. I had to begin to try to influ-

ence people to try to do something for themselves. People who have never been expected, and sometimes never allowed, to do something jointly. Our work has its enemies surely: humble, ignorant, hopeless people are much more docilely exploited than those who are not. Therefore, to be influential and effective I have had to work on Spanish every day in order to try to become modestly articulate and convincing in a language that is not my own, not to mention just to be able to be a good listener. There have been times when I thought that the inertia of centuries of abandonment of these people was more than I could ever hope to overcome. Most of the people I need to reach live in isolated little farm houses that can only be reached on horseback. More than once I've gone six hours on horseback to visit the little community of Santa Rosa that also belongs to the *municipio* (county) of Ubalá. And, more than once I have come back from a trip out to the countryside riding in the rain after dark, covered with mud, soaking wet, miserable with occasional diarrhea from some of the stuff I've had to eat in order not to offend someone who was offering the only thing he had, in an effort to be very kind, and thought that I must surely have been out of my mind to have ever asked for this job. Yet, I have never left. I believe in those people and I believe in their ability as much as in their right to build a better life for themselves.

My plugging away has just begun to pay off. People are beginning to wonder why they have to live the way they do. Gradually, you can convince them that while the cost of a little school is beyond the hope of any one *campesino*, you can make a good start on one if a hundred families can manage to contribute a hundred or so pesos; and while the work involved in constructing it is an onerous task for one or two men, it can be done in a reasonable length of time if twenty-five men work on it one day every two weeks or so. Then, once you manage to arouse a little hope about satisfying some of the needs they feel, you have to go about trying to teach them a little elementary democracy. You help them organize a *junta* or council, to elect the people they see as their own natural leaders, and then decide what it is they are going to try to do, and how it is that they are going to go about it. Next, you try to help them get the swagger of a successfully completed project under their belts. By the time you finish the two years, hopefully they are ready and able to go on working on the other needs of their community alone. All the time you have to be careful not to become indispensable to the *junta* so that it doesn't collapse when you go. You waste a lot of time making small decisions because you know that they would take your word for it, but you want to hear what so-and-so has to say, and then his brother, and so on, so that they get into the habit of getting together and talking out their problems. Then you run into all sorts of problems that set you back. We had an awful time getting a secretary and a treasurer for the *junta* that is now my pride and joy. We couldn't find anybody who could read and write well enough. Sure, I could do it, but what about when I leave? Then we started on a school. I had a Peace Corps engineer come out with a transit to lay out the foundations. Now I have to go all the way back to Bogotá to tell him he has got to come back because the guys who promised to fence the lot just didn't get it done for some reason, and some damned cow knocked down all the stakes.

But we are making progress. We need a road to the same little hamlet. I got a Colombian promoter of *Acción Comunal* to get an audience with the governor of Cundinamarca. Then seven of these guys paid the thirty pesos that they don't have to waste,

and went to Bogotá, and walked into his office and told him what was on their minds. That probably doesn't mean much to you, but it does to me. I was proud as hell of them. . . . I knew them when they would take their hats off and look at the ground when I tried to talk to them. Now, they not only do the talking, but they looked the man right in the eye when they did it.

I have two *juntas* that are ready to build schools. Moreover, people in the town of Ubalá decided that they don't necessarily have to put up with no light in their community. It took just a little pushing and they formed a committee and held dances and a queen contest and rented a movie projector and films and I loaned them a portable gasoline-powered generator that belongs to the Peace Corps, and they managed to raise a respectable 20,000 pesos towards that end. Now that they have shown some interest and initiative, I hope to be able to help them get the engineering advice that they need, and get some money from the government, even if we have to get an audience with the President of the Republic to do it.

After all my work in those first months, things have just started to develop. But, they still look to me for help. In a sense, they are in a political infancy. They are learning to walk, but they don't have a lot of confidence yet. Therefore, I'm very sure that if I am drafted and have to leave Ubalá, all my work will collapse. But worse than that, because these people have been promised things for so many years by politicians and have always been disappointed, I am sincerely afraid that they may decide that Peace Corps Volunteers are just so many more liars, and lose so much faith that it will make that site extremely difficult for a subsequent Volunteer to work in.

I have only fourteen months more until I finish the mission I came down here to do. I sincerely believe that I can leave something of value both to them, and in a certain sense, to the United States, if the peaceful resolution of the social problems that confront Latin America is as important to our national survival as a number of American statesmen think, if I can get a deferment to finish what I have so painstakingly begun.

This has been a rather long letter, I know. But I have taken the time to write it in order to try to explain as clearly to you as possible what it is that I am doing, why I think it is important, and why, therefore, I would like very much to be allowed to finish it. I am asking, then, for a deferment until the end of the mission, February of 1968. Because we are in the dry season of the year when it is possible to do a great deal of work outdoors, I am asking that you please consider my request at your earliest convenience, so that I may know the result. I am losing time right now, because I am afraid to initiate several (I think) important long-range projects because I don't want to start anything else that I might not be able to finish.

Thank you very much for your time and consideration

Yours very sincerely,

HUBERT L. SMITH,

Peace Corps Volunteer, Peace Corps,
Colombia.

COURAGE ON TARIFFS

Mr. METCALE. Mr. President, both the New York Times and Washington Post have heartily commended President Johnson for an act of courage in cutting back the tariffs on watch movements and sheet glass.

Moreover, both of these newspapers declare that the President's action will prove beneficial to the Kennedy Round of tariff negotiations.

His decision to end the escape-clause rates of duty will thus have broader international implications than trade in the products specifically affected would indicate.

In the Post's view, the President has provided more than the rhetoric of freer trade. He has demonstrated an indispensable willingness to stand on principle regardless of the political consequences.

The Philadelphia Evening Bulletin also reports favorably on the President's action, saying he has now removed two particularly irritating issues from the negotiating table.

Each of these editorials warrants study, and I, therefore, ask unanimous consent that they be printed in the RECORD.

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

[From the New York Times, Jan. 14, 1967]

MR. JOHNSON'S TARIFF COURAGE

President Johnson's decision to roll back watch and sheet-glass tariffs—despite powerful opposition mobilized by those industries in a Congress he no longer dominates—was an act of political courage with broader world implications than trade in those products would suggest. It affects the atmosphere of the entire Kennedy Round of trade negotiations now nearing completion in Geneva.

The Kennedy Round centers on an American offer of deep tariff cuts to persuade the Common Market to lower trade barriers toward other European countries and the outside world as a whole. Economically, success is vital to the export trade of Britain and many other countries, including the United States. Politically, the unity of the Atlantic Community is involved.

The decision on watches, a major Swiss export, eliminates the danger that Berne will withdraw many of its Kennedy Round offers, a move that could trigger similar action by the Common Market. The partial rollback in glass tariffs is symbolically important because the tariffs were raised in 1962, only a few months after a previous reduction. This circumstance outraged Belgium, and the Common Market as a whole joined in retaliatory tariff increases against several American export products.

Even more significant is the fact that the original American tariff increases for watches and glass took place under an "escape clause" which long had been a psychological impediment to trade liberalization. Europeans had come to suspect that the United States would rescind tariff cuts whenever foreign industries really succeeded in penetrating the American market.

Business requests for escape clause protection were, in fact, rarely granted by Washington. But the frequency of such requests and the lengthy procedures involved often created enough uncertainty to discourage European companies from the huge investment in product adaptation and merchandising needed to crack the American market.

To persuade Europe to enter the Kennedy Round, the 1962 Trade Expansion Act turned toward a new concept, "adjustment assistance" to American business and labor affected by foreign competition. The escape clause itself was made more difficult to use and a Presidential review was instituted that promised to roll back tariffs previously raised under escape clause procedures.

With his action on watches and glass, President Johnson now has kept that promise in all five of the cases on which he has had to rule and given Europe new reason for confidence that the tariff cuts made in the Kennedy Round will not be easily reversed.

[From the Washington Post, Jan. 14, 1967]

AN ACT OF COURAGE

President Johnson has said so little about the need for lowering tariff barriers to international trade that some observers erroneously concluded that he had little sympathy for that cause. They were wrong. The President's decision to terminate the high, escape-clause rates of duty on watch movements and glass is an act of courage, one that was vehemently opposed by protectionist spokesmen from industry, labor and the Congress. By acting with firm conviction, the President made some political enemies. But he has increased the likelihood of success in the Kennedy Round of tariff-cutting negotiations and advanced the cause of freer international trade.

The high tariff on watch movements dates back to 1954 when President Eisenhower declared it necessary to protect the domestic industry from serious injury as a result of increased imports that were attributed to concessions granted under the reciprocal trade legislation. In the ensuing years the domestic industry insisted that protection was also essential on grounds of national defense. The late President Kennedy raised the tariff rate on glass in a misguided effort to assist the depressed economy of West Virginia. There was instant retaliation by European countries.

Of the two decisions, the action on watch movements is the most important, both in terms of the volume of trade and the political impact. The Swiss government felt so strongly about the watch-tariff issue that they were threatening to withdraw their Kennedy Round trade offers. Had that happened most of the Common Market countries, under the most-favored-nation principle of nondiscrimination, would have been compelled to withdraw many of their offers, and the chain-like reaction could have wrecked the negotiations.

Paradoxically the principal opposition to reducing the watch tariff comes from the domestic companies that are also major producers in Switzerland and Japan. By playing the protectionist game, they were apparently inflicting more injury upon their competitors, the independent importers, than they suffered as importers of their own, foreign-made products.

In making his decision to terminate the escape clause duty, the President was assured by the Defense Department that the national security will not be impaired. The demand for missiles and other timed weapons has widely diffused the skills needed to produce horological mechanisms. There need be little concern about the financial position of the domestic watchmakers. Their order books are full.

The voice of the White House has often been raised in behalf of freer trade, but President Johnson provided the indispensable element, not the profile, not the rhetoric, but a willingness to stand on principle when the political disadvantages hopelessly outweigh any prospects for gain. That is the essence of political courage.

[From the Philadelphia (Pa.) Sunday Bulletin, Jan. 15, 1967]

A KENNEDY ROUND FILLIP

President Johnson omitted direct mention of the Kennedy Round of tariff negotiations at Geneva in his State of the Union message, but he took a step the day after the message that speaks louder than words.

By reducing tariffs on Swiss watches and Belgian glass, Mr. Johnson removed two particularly irritating issues which had brought retaliation in the case of glass and the threat of it in the case of watches.

Using the escape clause in the Trade Expansion Act, President Eisenhower had raised the tariff on watches and President Kennedy did likewise on glass. The reaction in both Switzerland and Belgium was strong.

At Belgium's request, its European Common Market partners raised tariffs on a number of U.S. exports, and Switzerland has threatened retaliation in the form of no concessions to the U.S. in the Kennedy Round.

National security was involved in the watch tariff, but the Office of Emergency Planning has assured the White House that this is no longer so. Both tariffs have been under consideration in the Tariff Commission for some time and the decision to reduce now ought to help create a favorable atmosphere for reciprocal tariff reductions in the Kennedy Round, which is entering its final months of tough bargaining.

CONDUCT OF AIR OPERATIONS IN VIETNAM

Mr. TOWER. Mr. President, I have received a copy of a letter one of our dedicated airmen has written home from Vietnam. In it he graphically states his views on conduct of our air operations and tries his best to explain to his family what it is really like to bear the responsibility of flying for his country over North Vietnam.

I have been three times with our airmen who fly these missions, and my own views about the need to liberalize the many restrictions on them are well known. May I simply say now that I think it important that the American people know exactly how these young men feel, what hazards they are operating under, and their view of how to alleviate that situation.

Therefore, I wish to read this pilot's letter to the Senate so that it may be printed in the CONGRESSIONAL RECORD for all Americans to consider:

LETTER FROM A VIETNAM AIRMAN

Flying is a little slow right now, due to many factors. One is the weather over North Vietnam; but the biggest is that if we strain too hard we might win this thing, and we don't want to do it too fast. I'm being a little sarcastic, because the sad story articles in the States about us Imperialist War Mongers bombing civilians tend to hack me off just a little. These same irate citizens and government officials tend to overlook that there are 100's of time more civilians being purposely killed by the VC in South Vietnam through bombings, shootings and other forms of terrorism. Also, we didn't start this little war, and when the people of the States learn that Uncle Ho Chi Minh purposely moves his people around military establishments in NVN to protect those establishments from our bombing, then maybe the irate newspaper, press and people in the land of the "great BX" will open their eyes. Due to the inexact science of dive bombing—weather, terrain, flak, SAM's and other minor worries (possibly MIG's), a few bombs might hit civilian areas. We have never, and I doubt if we will ever intentionally, go after a populated target as such.

The people of Asia only understand one thing—physical force. It's sort of like the mule that you have to hit on the head to get his attention.

The only way I personally see that we could win this war, though, is to hit NVN so that they want to quit, not that we want them to quit. War is a terrible way to settle anything, but if we are waging a war, a half-war is not the way to do it.

We went up for another MIG shoot. The MIG's were smart; they never came up. The only thing we saw were SAM's, and we saw a bunch of them. One F-4C was shot down by a direct hit by a SAM. The crew didn't even know what hit them. Yesterday I didn't fly, but our squadron was flying es-

cort for B-66's and one of the two B-66's took a direct SAM hit. What this is all about is that 90-95% of all the SAM's that are brought into that country come in through the Port of Haiphong—which the Air Force or the Navy could put out of action in one day, but we can't hit within 10 miles of Haiphong, because we might hit a civilian or some other such silly nonsense.

Of course, playing the "White Knight" has another drawback. We as a country are afraid of what other countries are going to say if we should do such a dastardly thing as defend ourselves. I only hope that we as a nation—knowing full well that no matter what we do people are going to complain on one side and pat us on the back on the other side—and being the most powerful nation in the world, show it by having the guts to win this war.

We might make a few of our "friends" mad when we sink a few of their ships in the Port of Haiphong or stop them from going in, but if we don't want to lose another 500 planes over NVN (at a cost of 2.5 million apiece and a trained crew), we are going to have to say, "OK, on these dates we are going to bomb Haiphong and Hanoi—civilians, sorry about that, but move out of the city." We would then totally destroy their means of waging war at the minimum loss of life to all concerned.

Don't get too concerned over our bombing civilians, because right now they have more civilian casualties from their own anti-aircraft shells and SAM's than by all the bombs we have ever dropped in the North. But to a newspaperman shown a blasted hut—how is he to know if it was by a falling SAM, MIG, AA shell or American plane or bomb or what. It's just good propaganda for the North, though, and they will always be willing for the American press to come in and make a "personal interest" story for the world to see. It saves them a lot of propaganda printing because of it.

I just wish few more Americans could take a ride in the back seat of the F-4C on a mission to the North and let the dickens be scared out of them by all the SAM's and the anti-aircraft fire and receive the first warm greetings of friendship that we receive every day, and then fly directly over the cities of Hanoi and Haiphong and watch how all those centers of civilian population turn into flak sites or hidden SAM sights, and fly over the untouched air fields of Phuc Yen, Kep, Gin Lam, and Cat Ho and the two new fields up near the China border, and count the 100s of MIG's that we don't worry about and then fly down into MIG valley along the Red River and count the seconds it takes the MIG's to get airborne and be at 6 o'clock (on your tail), and see all the ground radar centers that operate their fighting force—that also have no bomb craters near them due to their location in the populated centers. I guess I'm just thinking of my next 75 missions over that wonderful country that we are so concerned about the indigenous population of.

MRS. ESTHER PETERSON: CONSUMERS' CHAMPION AND VOICE

Mr. MONTOYA. Mr. President, it was with much regret that I noted the retirement of Mrs. Esther Peterson from one of the two major positions she has been occupying with such credit and accomplishment. As an Assistant Secretary of Labor she has been a credit to the Government of this Nation. As the President's Adviser on Consumer Affairs, she has broken new ground every day for 3 years—years that have been as full of turbulence as they have been enlightening to the consumer.

Her efforts have shed long overdue

light in many hitherto darkened corners, and the criticism she has received she may wear as a badge of honor, for at last, that long-suffering and unheard citizen, the American consumer, has found a voice in the highest councils of the land.

I wish to take this opportunity to say that those who have criticized Mrs. Peterson most vociferously may yet have cause to thank her more than anyone else. For she, by advocating consideration for the consumer and truth in the marketplace has pointed out the surest future path for American free enterprise.

Some of her critics have forgotten that honest products freely competing with one another are their own best advertisements, and that the American consumer is a better educated, more aware and dollar-conscious shopper with every passing year. Consumer abuses are cumulative, and if they continue and mount, the American businessman and producer will find a climate of distrust within which it will be increasingly difficult to operate.

Therefore, I believe Mrs. Peterson has done great service to our industrial-business-advertising community by alerting them to abuses perpetrated by a few of their number.

The consumer owes Mrs. Peterson a debt of gratitude that will grow as time goes on, because it was this altruistic woman who first spoke out against abuses many were aware of, but which no one had spoken out against before with such honesty, forcefulness, and courage.

As a result of her pioneering actions, the attention of our Nation has more than once been focused upon evils and dangers that jeopardized the health of the consuming public and our dollar.

Throughout our history there have been courageous trailblazers who have been willing to sacrifice themselves to the cause of what they considered the common good. At times they have suffered for their courage, beliefs, and actions.

Mr. President, hindsight is always 20-20. As we look back upon various moments in our history, the names of these people shine forth as those who condemned them sink deeper into historical oblivion. Society has cause to bless the names of these people of courage.

Mrs. Esther Peterson will, I am positive, go on to new heights of public service in her lifetime. But no matter what she may do after this time, her place in historical perspective is guaranteed as one who sought honesty in the marketplace, first-class goods for all and consideration for every one of us who goes forth to buy every day. We each owe her our gratitude and best wishes.

DEATH OF FRANCIS J. DAUBEL

Mr. LAUSCHE. Mr. President, I regretted to learn yesterday of the passing of Francis J. Daubel, the publisher of the Fremont, Ohio, News-Messenger. Mr. Daubel had published the Fremont Messenger for 41 years. I knew him personally, and always found great comfort and joy in the meetings which I had

with him. He was an untiring worker, promoting the cultural, civic, and economic life of Fremont and its environs.

I mourn his death. My sympathies go to his wife, Irma, and to his sons, Donald and Paul, and his daughter, Mrs. Frank Zielsdorf, of Sidney, Ohio.

THE 25 MILLIONTH NLRB SECRET BALLOT

Mr. SPARKMAN. Mr. President, a total of 25 million ballots have been cast in National Labor Relations Board elections during the last 31 years.

On the whole, these elections have been good for labor and good for business. We have adequate proof of this in the fact that the American Federation of Labor-Congress of Industrial Organizations and the National Association of Manufacturers together sponsored a reception 1 week ago to celebrate the casting of the 25 millionth ballot. Furthermore, Electronics Industries Association was cohost for a private Capitol Hill luncheon sponsored by Senate and House leaders of the Labor Committees of Congress.

A public observance in the Department of Interior auditorium saw the NLRB honor 39-year-old Leonard P. Sheno, of Carteret, N.J., a maintenance technician in the Reynolds Metals Co. manufacturing plant at Woodbridge, N.J. Mr. Sheno cast the ballot symbolic of the 25 million votes the NLRB has counted since 1935.

Even though Mr. Sheno is not from my State of Alabama, the fact that he works for Reynolds Metal Co. gives him something in common with the more than 5,000 who work at the Reynolds plant at Listerhill, Ala.

Those 5,000 workers, the Listerhill plant management, and I—and, indeed, tens of thousands of Alabama business leaders and workers—congratulate Mr. Sheno, the NLRB, and those forward-looking leaders of labor and business who have worked together through the years to settle labor-management problems by peaceful means.

CHINA IN TURMOIL

Mr. McGEE. Mr. President, in an editorial published by the Saturday Evening Post, the turmoil of mainland China is explored in the context of what has been called the cold war. It is a good thing for troubled China, the editorial points out, that blinkered antagonists, East and West, are unable to fulfill Mao Tse-tung's fears of an anti-Chinese alliance. Indeed, as the editorial points up, the current furor over the Consular Convention with the Soviet Union would make one think that the presence of a few Soviet bureaucrats in, say, Chicago was going to undermine our Republic; like that talk of expanded trade is disastrous because poor, simple-minded, and innocent Americans just cannot be expected to match wits with the wily Russians.

Mr. President, I do not subscribe to these ideas any more than do the editors of the Saturday Evening Post. I think their views, contained in the editorial entitled "China in Turmoil," are pertinent.

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:

CHINA IN TURMOIL

So vast is our country that no fable could do justice to its vastness, the heavens can scarcely span it—and Peking is only a dot in it, and the imperial palace less than a dot. . . . And besides, any tidings, even if they did reach us, would arrive far too late, would have become obsolete long before they reached us. . . .

—Kafka, *The Great Wall of China*.

There is something awesome about the spectacle of a great nation tearing itself apart. This is the torment of China, the ancient land where man first invented paper and silk and gunpowder; the vast land, far larger than the United States, extending from the world's highest mountains to one of its grimmest deserts; the swarming land where one fourth of the human race lives and works in perpetual poverty. For nearly two decades it had seemed that Mao Tse-tung's revolution had finally brought a kind of order and even progress out of the gigantic chaos that is China. It has been a hard order and a hard progress, God knows, founded on mass executions, and rationed hunger, and forced labor for the millions, but, year by year, the factories were built, and they produced, and China began to recognize itself again as one of the world's great powers. But for months now, the harsh discipline of Communist rule has been giving way to rioting and confusion until China today seems in a state of virtual anarchy.

It is impossible, of course, to know. In reading newspaper reports from Tokyo, which quote Japanese correspondents in Peking, who in turn are quoting wall posters describing clashes that may or may not have occurred in Shanghai, one realizes that the gap between reality and our understanding of reality has never been wider. Observing China's "great cultural revolution" has been compared to observing a raven flying through a midnight sky, and interpreting it has been compared to interpreting the struggle of two sea monsters, fighting to the death underwater. But the two basic forces seem to be those traditional antagonists, the visionaries and the technicians. On the one side stands the legendary old Mao, creator of Communist China, marshaling his hysterical young Red Guards to maintain the "purity" of the revolution; on the other, the leaders of the party bureaucracy are entrenched in power and committed to the post-revolutionary realities. Mao has gigantic prestige, and the passion of his beliefs, but his opponents may have a greater strength—the power to obstruct and the knowledge that the aged leader is running out of time.

Neither side shows any sign of compromise with the outside world. At the height of the storm, China's propagandists continue to cry imprecations against both the United States and the Soviet Union, and rampaging crowds rough up the hated foreigners, Russians and West Europeans alike. But precisely because Peking's internal crisis has veered and wavered for so long, the struggle that ravages China can provide a respite for China's enemies. It is often argued that dictators create foreign crises to solve their domestic problems, but this is not easy when a nation's rulers are at war among themselves. At such times a nation is vulnerable and essentially helpless.

None of this has been lost on the Europeans, both West and East. Helpless though Peking may be at the moment, the Soviet Union has little desire to confront a hostile China on one flank and a hostile NATO on the other. And as Moscow calls home part of its diplomatic community from China, it has left little doubt that it would

like to improve its relations with the West—not out of any softening of the spirit but simply as a matter of common-sense national interest. The smaller nations have acted accordingly. Where once the Germans and East Europeans refused to deal with each other, Bonn established full diplomatic relations with Romania last month and expects to work out similar ties elsewhere in Eastern Europe.

Only in the United States, it seems, do men in high positions cling to the myths of the Cold War at its coldest, the myth that all Communists of all countries are identical robots, that all are united in a vast conspiracy, that all are dedicated solely to spying and sabotage. The plan to open more U.S. consulates in Russia, in exchange for a similar number of Soviet consulates here, was proposed by President Eisenhower and signed fully two years ago, but recent Senate hearings sometimes made it sound as though the presence of a few Soviet bureaucrats in Chicago would undermine the Republic. And on the more important question of expanded trade between the U.S. and Russia, the assumption seems to be that Americans are too simple and innocent to work out an equitable exchange of goods with the wily Russians.

It is one of the ironies of Mao Tse-tung's xenophobic view of the world that he has always suspected the Soviets and the U.S. of joining forces against China. It is a good thing for China that its antagonists are too blinkered by their own ideology to explore anything as daring as that.

LOCAL DEVELOPMENT COMPANY LOAN PROGRAM

Mr. MONDALE. Mr. President, we are all concerned about poverty in this land of plenty, and I for one am delighted that we are doing something about it. The antipoverty programs proposed by the President and enacted by the Congress in 1964 have been, in the main, successful. These programs have taught thousands of economically deprived citizens how to read and write; these programs have given the underprivileged basic skills they did not have before; and most important of all, they have given hope where there was none before.

Mr. President, it is basic that the potential labor force being created by anti-poverty programs must eventually have jobs. It is most certainly not the objective of President Johnson or of Congress to have created better qualified unemployed.

Mr. President, I further submit that there are Federal programs which create productive jobs in the private sector. One of the most outstanding of these is the local development company loan program, which is administered by the Small Business Administration. An example of the creative federalism that President Johnson and this administration are using to meet the pressing needs of the Nation in this decade, the local development program also creates an effective partnership between the private and public sector for the benefit of the community.

Public-spirited citizens first join together to form a corporation and raise funds to expand existing small businesses or to help attract new industry to their community. These corporations determine what projects may be best suited to develop the economic potential of their own community.

Once the local group has raised 20 percent of the funds needed for the project, the corporation may then apply to SBA for the remaining 80 percent of the cost of the project. In communities of 50,000 or more the local group raises 20 percent, a private lending institution 40 percent, and SBA 40 percent.

SBA's loan funds may be used to acquire land, to construct buildings, to buy machinery, or to convert, expand, or modernize a plant.

The SBA is doing an excellent job through this program of helping small firms, and of strengthening the economic stability of local communities and States.

Mr. President, I have learned from SBA that my own State of Minnesota was the first in the entire country to pass the 100 mark in local development company loans approved by the Small Business Administration. These loans to small businesses in Minnesota have created nearly 3,000 job opportunities that did not previously exist.

Mr. President I commend the SBA and the administration for their efforts in bringing this outstanding, yet very low-cost program to the people of the United States.

THE PEACE CORPS' PROGRESS: ITS FIFTH ANNIVERSARY

Mr. YARBOROUGH. Mr. President, I wish to recommend for the attention of Senators the fifth annual report of the Peace Corps. This remarkable document tells a story about the unique achievements of this young agency.

This report also promises that the Peace Corps' progress will continue under the able leadership of its Director Jack Vaughn. We are fortunate that President Johnson had the foresight to entrust the fortunes of this important enterprise to the hands of a man as competent and responsible as Mr. Vaughn.

I have supported the Peace Corps idea from its earliest advancement and supported the original bill and its later enlargements. In my travels in other countries, I have found the Peace Corps to be of great service and value.

I am especially proud of my 325 fellow Texans who are serving in the Peace Corps. They are not only providing valuable services, but are accumulating experiences which will make them more productive and better informed citizens of the communities to which they will return at the end of their Peace Corps service. Our Nation, the world community, and Texas will be richer as a result of their service.

GRAGG-SHERRILL POST, AMERICAN LEGION, PROTESTS TOPLESS GO-GO GIRLS FOR VIETNAM GI'S ENTERTAINMENT

Mr. TOWER. Mr. President, I ask unanimous consent that the text of a resolution passed by Gragg-Sherrill Post No. 248 of the American Legion, Corpus Christi, Tex., be printed at this point in the RECORD.

There being no objection, the resolu-

tion was ordered to be printed in the RECORD, as follows:

A RESOLUTION TO PROTEST AGAINST TOPLESS GO-GO GIRLS FOR VIETNAM GI'S ENTERTAINMENT

Whereas, a news release appearing on March 2, 1967, alleges that:

A businessman revealed plans Wednesday to "bring America to our boys overseas" by opening a topless discotheque in Vietnam.

"We think this will be fun for the GIs," said Richard L. Bast of Washington. "This will be the sort of club servicemen are used to at home, but can't find in Saigon."

He said the firm of Redex-Vietnam, Inc., is selecting 10 to 25 American girls of "high caliber" to open in the club in about eight weeks.

"We feel this entertainment will be well received," said Bast, a frequent visitor to Asia. "The topless idea originally came from the military itself. An Army colonel friend pointed out that servicemen are shipped from San Francisco and are used to topless girls."

"Then they get to Vietnam and find nothing like home. This can be a morale problem," Bast said. "We want our girls to contribute to the war effort. During the day they may visit hospitals."

Bast said his associate in the night club is Nguyen Ba Hung of Saigon. He said a license has been approved and a site chosen.

Prospective recruits are to be given lie detector tests, he said. "We'd be out of business fast if we shipped some communists over there. These are going to be nice, wholesome American girls."

Newspaper ads require applicants to be between 21 and 26, single and willing to sign a six month contract which stipulates that they remain unmarried. "We do not want any hard-bitten strippers," Bast said.

"They'll be topless on stage, which I'm sure will appeal to the GI. When they mix with patrons, they will be covered."

Prices are steep compared with stateside standards: \$5 admission and a minimum of \$10.00 worth of beer or whisky. "For \$15 the GI will have rock'n'roll to listen to and American girls to observe," he said. "A bargain." Now, therefore be it

Resolved, By Gragg-Sherrill Post No. 248, The American Legion, Corpus Christi, Texas, other war veterans, patriotic, religious, civic and other local organizations and individuals in formal meeting assembled in Corpus Christi, Texas, this 3rd day of March, 1967 that:

1) We emphatically deplore and protest against the appearance of so-called topless, American, go-go girls, strippers and other ecadyslats as entertainers on programs staged for our American servicemen or women in Vietnam or elsewhere;

2) That the United States State and Defense Departments take remedial action to require the immediate revocation of visas or permits of any nature granting the departure from the United States for overseas stations of our Armed Forces of such American go-go girls, strippers and other ecadyslats and to their business agents and managers or employers; and to deny the issuance of such visas and permits in the future;

3) The United States State Department, Defense Department or other concerned department, take the necessary measures to obtain the revocation of licenses or permits issued by the Vietnam, Saigon and similar governments and agencies permitting the operation of clubs which stage the appearance of American go-go girls, topless or otherwise, strippers and other ecadyslats for the entertainment of our servicemen and women; and to insure that no licenses or permits for such purposes are issued in the future;

4) The Army colonel who is alleged to have said, in effect, that servicemen shipped from San Francisco are used to topless girls be in-

vestigated; and if the allegations are found to be true that the said Army colonel be subject to the appropriate disciplinary action for making irresponsible and derogatory remarks to the detriment of our country's defenders, our servicemen and women.

5) This entire immoral, evil, degrading, alleged plan, with its direct accusation of debauchery, lechery, moral turpitude, depravity and degradation being either inherent in or inculcated by association in our Armed Forces is calculated to destroy the trust of all peoples of all faiths throughout the world in the morality, ideals and integrity of the United States of America and its Armed Forces, and to subject us to the ridicule of the communistic nations;

6) That copies of this resolution be sent to the leaders of our State and Defense Departments, to our Congressmen, the press and first of all to the President of the United States.

EAST-WEST TRADE

Mr. FULBRIGHT. Mr. President, I have read the text of the speech delivered on Monday by the senior Senator from Washington [Mr. MAGNUSON] to the World Affairs Council of Tacoma, Wash., on the subject of East-West trade. The Senator has stated quite well the importance of moving ahead with measures to improve trade relations with the Soviet Union and other nations of Eastern Europe in spite of the pall cast on East-West relations by the war in Vietnam. Senator MAGNUSON is well qualified to speak on this subject. The Committee on Commerce, under his leadership, has taken an active interest in East-West trade relations for a number of years and last fall the Senator visited the Soviet Union, where he talked with many trade officials and political leaders.

Although the Senator from Washington and I do not agree on some foreign policy issues, such as Vietnam, we do see eye to eye on the political significance of trade with the Soviet Union and Eastern Europe. His speech is a commonsense, rational approach to what is all too often an emotional subject, and I commend it to Senators and other readers of the RECORD.

I ask unanimous consent that the speech be printed in the RECORD.

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

A SENATOR LOOKS AT EAST-WEST TRADE

(By Senator WARREN G. MAGNUSON, to the World Affairs Council, Mar. 6, 1967)

His name may be Ivanoff or Ionescu; his home, Sofia or Bucharest. He may or may not be a member of the Communist Party; in any event, he has learned to survive and get ahead in a Communist state. He may be the director of a State trading company, the manager of a manufacturing enterprise geared for exports, Chief of the North American Office of the Foreign Trade Ministry, or, believe it or not, the Vice President of a Communist Chamber of Commerce.

As strange as his name and language and as foreign his politics and economics—you and I have a deep and abiding interest in this fellow. To us, he represents a growing challenge and opportunity, and that challenge and opportunity are what this country's East-West Trade policy is all about.

For at least ten years now, the Communist countries of Eastern Europe have been undergoing a revolutionary reversal of their relationship to the industrialized, capitalist

West. Stalin was determined to weld the Communist Bloc into a self-contained economic and political whole, totally independent economically, as well as politically, from the West. Trade was tolerated only to meet emergency needs, or to supply prototype plant and equipment to be copied and reproduced. The Bloc was gripped in a state of economic isolation which the economists call "autarky."

Stalin died. The West prospered beyond our brightest hopes and expectations, while the Communist East bogged down in the rigidities and waste of Communist dogmas. As the political grip of Moscow on the satellite capitals relaxed perceptively, the national self-interest of each of the Eastern European countries began to assert itself—even within the local Communist Party superstructures which the Russians had placed in power.

Gradually at first, then with a quickened pace, the countries of Eastern Europe turned to their traditional trading partners in the West—not to exploit one-shot deals—but to reinstate the mutually beneficial long term partnerships on which Europe thrived before the erection of the Iron Curtain.

To rebuild economies shattered by the war and shuttered by the inefficiencies of Communist planning, these countries looked to England, France, Italy and, ironically, West Germany to supply the sinews of modern industrial economies.

But from the beginning the shopping lists carried by the Communist buyers from the East were endless, while their pocketbooks were almost always bare.

With few exceptions, the products produced in Eastern Europe were shoddy, unattuned to Western standards. Not only was the quality inferior but the Cold War isolation of the East had left its manufacturing and trading enterprises grossly ignorant of product tastes and trading methods of the West.

The Communist Party "Apparatchik" who was placed in charge of a shoe factory because of his political reliability may have been a deadly guerrilla fighter in the revolution, but he met his factory's quota of a hundred thousand pairs of shoes by producing 200,000 left shoes! And few were the Party faithful who could strike a hard bargain over a negotiations table with Western businessmen.

Bankers hardly fit the stereotype of the victorious proletariat, but how do you finance exports and imports without a modern banking system? And if you are hostile to visitors, buyers and money-laden tourists will shunt you for friendlier climates.

So if you are a Communist state in Eastern Europe faced with an unquenchable thirst for products and know-how from the West, some inevitable and very interesting things begin to happen to you.

First, you become less concerned with Party loyalty and more concerned with ability in your choice of enterprise managers—specifically, the ability to turn a profit, a word which slowly creeps back into your vocabulary. You look for able, young, university graduates with ambition and, with surprising frequency, you even rehabilitate pre-war merchants who have been barely existing on the fringes of your Communist state.

And then you turn increasingly to greater market incentives for firms and workers. Profit rather than quantity becomes the key to production. Labor and management are rewarded with bonuses not for exceeding arbitrary quotas of inferior widgets which no one will buy, but for producing quality widgets sold at a profit.

Gradually, your closely controlled economy and society begins to loosen up. All of your export executives must learn English, because English is now the dominant international language of traders. Also, the Chamber of Commerce subscribes to *Time Magazine* and the *London Economist*.

The wife of a Communist news correspondent edits an English language export promotion journal. To practice English she listens to Willis Conover. Do you know who he is? I didn't, until I talked with the people in Europe. He is the star Disc Jockey of Voice of America.

Travel to the West becomes a necessity, and the conscientious commercial representative in London or New York can't shut himself up in the self-contained cell of his embassy or legation. He has to get out and mix and sell. And then he gets corrupted by Western influences, begins to dress well, wants a car—an American car. One young fellow who led a Communist Trade Delegation to Egypt told us that as soon as he landed in Cairo he headed for the latest James Bond movie—despite the official view of his government that James Bond is the prototype of the reactionary imperialist. He envies the open political views of his Western counterparts. Soon he begins to try his hand at a political joke or two on his own government.

"Why don't Hungarian workers go on strike," one Hungarian asked us. The answer, "Because nobody would know the difference."

"Why doesn't Switzerland have a Communist government? Because it is too small to afford it."

The Communist trader begins to think of himself more as a trader and less as a Communist. We asked a director of the Foreign Trade Bank for one of the Eastern European countries how he would characterize his work. "I would like to think of myself as a merchant banker, just like the English merchant bankers."

"I would like to forget that I am working for the government" the head of one trading company told us and another, who had been the director of an exporting enterprise for nearly twenty years, watching it expand and grow, proudly referred to it as "my company."

Competition creeps in. Two or three trading companies compete over who can do the best job buying and selling heavy machinery. A state manufacturing enterprise with vague jurisdictional lines and a hustling managing director decides it can build and operate chicken processing plants more efficiently than the outfit that is doing the job now—and does.

How do these Eastern traders feel about America? "As a businessman," he will tell you, he has the greatest admiration for American goods, technology production techniques, and our ability to deliver on time. The way to say know-how in Rumania is "know-how."

He likes Americans—he likes to deal with them. He respects and trusts the American business ethic. If he had enough dollars, he would buy everything from the Americans.

And he likes Americans personally, as he gets to know them. The Agricultural Minister of one of the Eastern countries has come to the United States several times to purchase plants and equipment and has developed close friendship with the Americans with whom he deals. One told me that he had brought the Minister to his home in the Mid-West for a weekend of relaxation and, on Sunday morning, asked his guest if he would join the family at church. The Minister replied that he would like to go, if it were a small church, where no one would see him.

How does he feel about Vietnam? He wishes it would go away. Does he have a missionary zeal to spread Communism throughout the world? Not likely. Aggressive expansion of Communism threatens peaceful relations with the West is a threat to his job.

In short, we have a stake in the new breed of Communist traders because they have a stake in us.

Suppose the secret police in his country threaten to arrest a tourist who tries to talk

politics with a citizen. The trader protests, "Leave the tourist alone, we need hard currency."

He wants to buy a corn flake or potato chip factory from an American firm. He is hoping that the United States Office of Export Control will grant an export license. Does he want his government to announce that it is shortly sending volunteers to Vietnam? He does not. He does not want to rock the boat and lose the contract.

But the manager of a state trading company has his problems. He promises the combine that manages all food processing that the Americans will deliver a corn flake factory faster and better than anyone else. The Foreign Trade Bank allocates precious, hard-earned currency for the factory and the contract is negotiated and signed. But the Young Americans for Freedom decide to picket the firm that is selling the plant (one Rumanian official said he knew it was the "Young Democrats" that were the root of the trouble). The American firm now gets cold feet and cancels the contract, at the last minute.

The Food combines Five Year Plan for producing corn flakes is shot and the plant manager blames his Trade Ministry for getting involved with the no-good Americans.

And do you know who is happy with this result? The Young Americans for Freedom are happy with the result and the Communist Secret Police are happy with the result. Communist hard liners rub their hands and say "See, we told you so. To trade with the Americans is to buy trouble. Capitalists are no ——— good."

"You kept us from sending volunteers to Vietnam, you kept our shipments of supplies limited, you muzzled our military men and our diplomats, all because of this ridiculous notion of co-existing with the West. It is time to forget this nonsense and get on with our wars of liberation."

The position and moderating influence of the traders declines.

This is where our own East-West Trade Policy comes in, and it might be useful for us at this point to briefly review that policy.

Generally speaking, our relations with the Communist world in the last two or three decades have had both defensive and affirmative aspects.

Defensively during the course of the last twenty years, the United States has had to confront Communist military aggression, and subversion in many parts of the world. This we have done, this we will continue to do so long as necessary. We believe in and we abide by the principle that no power has the right to impose its ideas or its system on others through the use of arms.

Greece was threatened by Communist subversion in the immediate post war years; we did not hesitate to come to the aid of Greece. We did not hesitate to send our young men and commit our resources to the Korean War to insure that peace and stability would prevail in the North Pacific. Because we did not hesitate, Communist China as well as Stalin's Russia learned painfully and at considerable cost that the United States is unflinching when faced with the threat of force.

In Europe we have made it clear to friends and foes alike that we stand by our commitments. We have been tested twice in Berlin, and today the citizen of Berlin does not fear for his future. When the Soviet leadership concluded that we could not be stared down in a nuclear confrontation through the planting of missiles in Cuba, we stood firm. Circumspection prevailed.

And so, fitfully and painfully, a measure of restraint has come to characterize American-Soviet relations. Make no mistake of it, this restraint exists primarily because we have permitted the Soviets no illusions about our willingness and determination to meet force with force.

This is why we are in Vietnam today. The issue there is not a local one. The stake is

the peace of Asia, and the strategic course international Communism will follow in this decade. In Europe and Korea, they tried open force and failed. In Vietnam, by adopting the coloring of a national "war of liberation" they are testing the efficacy of covert force.

By standing firm, as we are, we are also strengthening the hand of those Communists, such as the traders of whom we have spoken, who seek to discourage international adventures which threaten the life line of trade.

While these defensive aspects of our policy have been designed to dampen the appetites of the radical Communists, the affirmative aspects have been designed to extend a firm hand to the moderates who shun aggression. We helped Yugoslavia with its efforts to maintain independence from the Soviet Union, and we have helped Yugoslavia to move away from doctrinaire Communism to a freer economic and political system.

President Eisenhower supplied surplus grains to Poland partly in response to that country's maintenance of a free enterprise agricultural system.

Now we are attempting to strengthen the hand of the Eastern traders. Proposing to Congress the East-West Trade Relations Act, which I have had the honor to sponsor in the Senate, President Johnson has demonstrated to the East his good faith in seeking to abolish the discriminatory tariff rates imposed during the ice age of the Cold War.

Step by step we are attempting to build those bridges of confidence which must become thoroughfares if peace is ever to return to this planet which we share, like it or not, with the Communists.

We have now agreed with the Soviet Union to a treaty on the peaceful uses of outer space. We have concluded a civil air agreement providing direct air service between New York and Moscow. I, myself, have been deeply involved in the recent conclusion of a just and reasonable Fisheries Agreement. The result has been an agreement far more favorable than we earlier thought possible. The Soviet negotiators accepted logical recommendations without trying to interject cold war objections.

We have renewed the US-USSR Exchange Agreement for another two years. We now have before us in the Senate for ratification the US-Soviet Consular Convention which would constitute an unprecedented breakthrough, furnishing protection to American travelers and American consular officials in the Soviet Union. We are making substantial progress toward an agreement to prevent the spread of nuclear weapons.

The President has authorized the Export-Import Bank to guarantee commercial credits to Poland, Hungary, Bulgaria, and Czechoslovakia, as well as Rumania. Export controls have been amended to permit the sale, under simplified licensing procedures to Eastern Europe, of several hundred non-strategic items. Our Legations in Budapest and Sofia and the Hungarian and Bulgarian Legations in Washington have been raised to the status of embassies.

We have just concluded a new two-year agreement with Rumania on Cultural, Scientific and Educational Exchanges. And the National Academy of Sciences has concluded agreements with several of its European counterparts for specific scientific exchanges.

Are these efforts really worthwhile? And are they really in our interest? Wouldn't we rather have the Rumanians making corn flakes than increasing jet fuel production?

But does all this answer the basic painful question, "Why should we trade with the Communists when they are supplying the weapons that kill our boys in Vietnam? Fortunately, the answer cannot be as simple as the question, but there is an answer.

First and foremost trade in strategic goods is banned, both by agreement with our Western allies and by our own laws, and no one proposes to lift that ban. Second, nothing

that we do on our trade policy will deny the North Vietnamese access to any military equipment. The Communist world is self-sufficient in military production and has been for many years.

Ironically, the Russians are supplying us with scarce magnesium, vital to U.S. aircraft production and therefore to the Vietnam war effort.

On the other hand, our Intelligence sources tell us that the bulk of the enemy equipment in Vietnam is Chinese in origin with Soviet supplies constituting a "relatively minor component." According to Deputy Under Secretary of State Kohler, "The big Soviet military aid has gone to North Vietnam in the form of anti-aircraft guns, and missiles and radar and fighter planes, items the Soviets describe as defensive."

There seems, in fact, to have been some element of restraint here, perhaps referred by Moscow as paralleling our own limited purposes in Vietnam.

Clearly the growing and continuing need for trade with the West *does* act as a restraining influence on the Communists. If we remove that trade potential, then the Communists will have nothing to lose by pulling out all the stops.

As Senator Jackson observed in an incisive and compelling speech, which he made to the Senate last week:

"We need to learn the art of doing two things at once: to work with the Soviet Union where we can and to keep up our strength as a basis for working with them and for encouraging them to view us with a healthy respect. This is not easy to do, for it is an old tendency of ours to see things in black and white terms, but it is the task we face.

"In general, we should be ready to do business with Moscow wherever our interests and theirs truly converge. There may therefore be advantages to each side in an expansion of the peaceful contacts growing out of trade and tourism and other exchanges."

There is perhaps no field as fertile for the Monday morning quarterback as foreign policy. We could easily lose count of the foreign policy decisions of the last two decades which have failed to bear the test of time and reflection.

The Marshall Plan, in its main force and objectives, must surely rank as a singular American triumph in foreign diplomacy as well as in international compassion, but we may have erred in coldly excluding the Soviet Union and the satellites from the Plan. Of course, we had justification enough arising from Stalin's aggressive behavior. But the decision to further isolate the Soviet Bloc may well have strengthened and confirmed the worst suspicions of the Russians and provoked them to veer more sharply along the road to the Cold War and the Iron Curtain.

I have even less hesitation in judging that Secretary Dulles was wrong in impeding the free elections in Vietnam contemplated by the 1954 Geneva Agreement. I disagreed with the Administration at the time and said so.

I make these observations not to unearth old chestnuts or to pick the bones of past policies which may have appeared wise and just at the time, but only to dramatize the constantly shifting nature of foreign affairs, the hazards of viewing both friendly and hostile relations as permanent fixtures.

Change, rapid fomenting change, characterizes not only our society, but all societies. Our challenge is to recognize, if possible to anticipate, change and to be alert to respond to change.

CRISPUS ATTUCKS WEEK

Mr. CASE. Mr. President, on last Sunday, March 5, a delegation of some 24 persons representing the Crispus At-

tucks Society, Inc., made a pilgrimage to Boston for memorial services and the laying of a wreath at the Attucks Monument.

The pilgrimage was the first event of a week officially proclaimed "Crispus Attucks Week" in New Jersey in honor of the first patriot to give his life in the Revolutionary War in the cause of freedom and liberty for all Americans, regardless of race, color, creed, or national origin. The weeklong celebration will be climaxed by the Crispus Attucks Day Parade in the city of Newark this Sunday. The parade is intended as a tribute to the courage and sacrifice of American fightingmen from the Revolutionary War to Vietnam.

This is only one way in which the Crispus Attucks Society, dedicated to the history and culture of the American Negro, endeavors to bring into proper focus an understanding and knowledge of the invaluable contributions men of color have made to the American society. The basic philosophy the society seeks to emphasize is, "It is better to march with pride—than in protest."

I commend the society and its activities to the attention of Senators from other States. It is making, I believe, a significant contribution toward helping the nation "march with pride" toward a fuller realization of American brotherhood.

The founder of the Crispus Attucks Society is John A. Thomas. Other officers of the Crispus Attucks Day Parade Committee are:

General Chairman: Capt. Roscoe Jennings.
Honorary Chairman: Mayor Hugh J. Adonizio.

Vice Chairman: Lewis N. Miles, II.
Honorary Vice Chairman: James Threatt,
Sheriff Leroy J. D'Alota.

Treasurer: James Moore, Jr.
Secretary: Connie Woodruff.

Grand Marshall: Timothy Still.
Deputy Grand Marshall: Hattie Coppock.
Chief of Staff: Det. William A. Stewart.
Deputy Chiefs of Staff: Melvin Calloway,
Officer Harold Gibson, Jenkins Holman, Fireman William Thomas, Danny Williams.

Parade Adjutant: John H. Brown.
Asst. Parade Adjutant: Frank Ray, Richard Lang.

Public Relations: Rudy Kinchen.
Publicity: William S. Thomas.

Trustees: Irvin B. Booker, Esq., Chairman,
James E. Anderson, Ida Barker, Joseph James, Queen E. James, Rev. Langston Miles, Simeon Moss, Rev. James E. Myers, Loretta Starks, Tally Talbot, Annette Wheeler.

Committee: James Blair, Cheri Coleman, Patricia Gibbs, Barbara Gibson, Kenneth A. Gibson, Hickman Holmes, Sarah Jennings, Carolyn Kelly, Mae Massie, William Mercer, Marlene Miles, William D. Payne, George L. Richardson, Mervin Robinson, Bernice Sanders, Vera L. Stewart, Major Taylor, Stephen S. Thomas, Esta Williams.

GUN CONTROL

Mr. DODD. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "Spiral to a Gun," written by Martha Gellhorn, and published in Harper's magazine for October 1966.

Miss Gellhorn describes poignantly the brutal consequences of the mere availability of guns which escalate a fist fight

to murder, and a tantrum to a life in the penitentiary.

This article represents an important segment of the American press, and I recommend it to Senators as they consider S. 1, a bill to amend the United States Code, title 18, relating to the unregulated interstate commerce in firearms.

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

SPIRAL TO A GUN

(By Martha Gellhorn)¹

The St. Louis Municipal Courts Building was finished in 1911 and must have seemed like the last word in Palaces of Justice at the time. Made of gray stone, it is three very high storeys high, adorned with carved wreaths around impressive windows, a sweeping front stairway, slabs of Corinthian columns, and two large, handsome granite ladies, in 1900 hairdos and draperies, lounging on the roof beside an outside flowerpot which sprouts granite flames. Except for Juvenile offenders and Federal offenses, all the law violation of the city—from parking tickets to murder—is brought to judgment inside this one building.

On weekday mornings, the wide corridors of the first floor resemble a bus station, strewn with candy wrappers, paper cups, and cigarette butts and crowded with restless people. These are the clientele of the Police Courts (maximum punishment, three months in the workhouse and \$500 fine) and the Courts of Criminal Correction (maximum punishment, one year in the City Jail and \$1,000 fine). On the third floor, in suitable quiet and decorum, the Circuit Courts handle felonious (punishment, from two years in the state penitentiary to death).

The personnel of the courts is an intimate, practically permanent group; Judges are addressed as Judge, everyone else by first names. It is pleasing to hear a Judge call a Special Assistant Circuit Attorney "Buster," during a trial recess. No one can make a fortune here; driving ambition would be pointless; no one is worked to ulcers in this unhurried atmosphere; and no one is bored with his job. If you are on the right side of the law, the Municipal Courts Building is singularly agreeable. To an outsider, constant dealing with crime and punishment would seem melancholy and finally disgusting. It is not. Crime, here, has a face and a story, and human behavior is still the most fascinating subject on earth. Crime, like war, strips off everyday camouflage. In these courtrooms you get a full view of the basement of our society and the basement life that produces criminals. No one could be bored with that, though attitudes to the work vary.

The majority of officials see their function and duty as punishment: catch and convict, and the heavier the punishment the better; keep the misfits out of circulation as long as possible; and protect the law-abiding. The minority cling to a concern for individuals and the tired but humane belief in a second chance. Nobody talks of justice, a condition not to be obtained here below. The best that men of goodwill and sensitive conscience can aim for is the limiting of injustice.

St. Louis is the tenth-largest city in the United States and a steady, settled sort of place. The law-abiding population is much given to civic responsibility and pride. By old custom, wealth is not flaunted and pov-

erty stays largely out of sight, on side streets. Crime seems not only dangerous in this solid middle-class setting, but abnormal. Crime may be expected in flashy cities like New York or Chicago or Los Angeles but it is a shock, here, to feel nervous about walking in the parks or on the streets after dark. St. Louisans read in their papers that major crimes—murder, rape, robbery, assault—have increased in their town by 8 per cent in 1965; and they are alarmed and indignant. Like all other urban Americans.

The Deputy Sheriffs are old men with a tendency to wear their stomachs over their belts. One of these shouts a name. A door to the left of the Judge's dais opens and a man, watching his feet, walks down a few steps and is nudged into place, before and below the Judge. The man is dressed however as he was when arrested. These are the criminals who have pleaded guilty; none of them are advertisements for the affluent society. Too poor to pay a bondsman's fee and buy liberty until the Judge decides their fate, too poor to hire a lawyer, they have been locked in the City Jail until this moment. The sentencing. If it please Your Honor, says an Assistant Circuit Attorney, and recites the man's crime and vital statistics, including any previous convictions. The man waits; he has already waited for two months in the cells down the street. He is a Negro, the poorest of the poor. Crime is a failure too, beginning with the first one, which leads inevitably to the others. Who wants to employ an unskilled Negro with a prison record? There are more than enough unskilled and unblemished Negroes.

TOO DAZED TO UNDERSTAND

It goes briskly now; these confessed criminals are the delight of the police, the ease of the Circuit Attorney's Office. This Judge is a kind man; a local newspaper, when it has nothing better to do, howls at him for being too generous with paroles. The criminal is twenty-three years old, thin, of medium height, shabby, his skin a lifeless soot color. He has been in the penitentiary almost steadily since he was eighteen; he is a hopelessly incompetent, small-time burglar. He never tried for a big haul and he got nothing except two different prison terms and, in between, ninety days in the workhouse for carrying a concealed weapon. He has been caught for the third time. He pleaded guilty and asked to be sent to the Federal Hospital for Narcotic Addicts. The Federal Hospital, however, is full and, besides, not eager for felons.

The Judge says regretfully that his request has been turned down and he will, instead, be sentenced to seven years in the penitentiary. The man cries out, "Seven years!" The cry becomes a choking sort of gasp; then he is sobbing, "Seven years, seven years." The Judge says he is sorry and the Deputy Sheriff hustles the man back the way he came. He was the only man, in a month, who showed emotion when the final words of the sentence were pronounced. Most of them seem too dazed to understand. All courtrooms have a curious air of unreality; the very rules of law prevent people from speaking out about real life.

An elderly white man, a rarity because he is white, shuffles in; he is fifty-two and was arrested after an accident caused by his drunken driving. Searching his car, the police found two guns and a knife. The man has been arrested five times before, for drunkenness, gambling, and disturbing the peace; but never jailed. He is a steady worker and keeps saying this: years and years at the same job, married, with one child. Why did he have that collection of weapons? He mumbles incoherently about taking them to a friend, didn't know they were in the car. He is given fifty days in the workhouse, but the sentence is suspended, and he goes free on probation.

Now it is the Court of Criminal Correction:

¹ Martha Gellhorn, a correspondent in five wars, went to Vietnam this summer. She is the author of eleven books (chiefly fiction) and has studied and written about the basement of society since 1936, when she reported for Harry Hopkins on unemployment relief.

a Negro is in the witness chair, accused of stealing three shirts from a shop in a slum street. His face is ravaged, cut in black stone; his body is not as old as his face. The prosecuting Attorney says this man has "numerous convictions." The Judge asks, "Did you threaten to kill him?" indicating the shop owner, a small, puffy white man with glasses. "I didn't have no weapons," the Negro says. Who would threaten to kill without a gun? He needs a new shirt badly.

Three Negro boys are on trial in a Circuit Court for attempted burglary. The police say they were trying to tunnel their way through a brick wall into a supermarket. The crimes often sound dotty, being the handiwork of pea-brains. These boys had enough money to pay a bondsman so they came into court free, neat, and clean; they they could also hire a lawyer. The police on the beat keep a mistrustful eye on Negroes. They arrest fast, but they are not adequately trained to collect the sort of evidence that stands up infallibly in court. The defense lawyer is a Negro and very talented. The jury is not convinced by the police evidence and returns a verdict of Not Guilty. If nothing else is clear, it is clear that money makes a big difference. All men are equal before the law but some are more equal than others. A man is a lot more equal if he walks into court from the street, not the City Jail, wearing a clean shirt and a pressed suit, with a good lawyer by his side.

Behind the scenes, the Parole Office is more revealing than the courts, where desperation and muddle and humanity are smoothed out into fancy questions and incomplete answers: "Were you in close proximity to the accused at the time of the incident?" "Prior to this incident, were any words spoken to you by the accused?" In the Parole Office a cheerful young Negro is reporting to a new, sympathetic, young white Parole Officer. They chat inside a glass cubicle; it was rather like a friendly consultation between patient and family physician. The Negro had been convicted of burglary, nothing much; another case of stealing from need. Now, free on parole, he has miraculously found a job at \$40.00 a week, for a thirty-hour week, and can spend \$20.00 of his wages on fun, and it is gilded heaven after Alabama, his home state. He goes bowling, has a few beers, takes in the movie shows, knows a girl: bliss. "There's very little sign of the criminal mentality around here," I suggest. "Oh, no," says the young Parole Officer. "They're just uneducated and dumb and unlucky, most of them. They're pretty nice people."

A white boy checks in now, accompanied by his mother, recently widowed, and beside herself with anxiety—the boy has had another run-in with the police. The boy is nineteen, with rimless glasses and a weak chin, a dull boy, "a good boy," his mother insists. But he drinks beer in a tavern and "somebody says something" and he gets fighting mad. He is on parole from a conviction for assault; he attacked another boy with a tire tool. To look at him, you would not think he would attempt to beat up a rabbit. "The police see us sitting around and they just pick us up," the boy says, without rancor. This happens steadily to Negroes, apparently also to poor whites. "There's nothing to do in our neighborhood," the boy says, trying to explain himself and the emptiness of his life. He worked as a printer's apprentice but was fired after his conviction; only two boys in his set have jobs. He dropped out of high school after two years: "I just never could get interested in books." The boy is suffering from boredom as if from infantile paralysis. "What do you want to do?" I ask. He'll only have to get beery drunk once more and assault someone else and he's off to the penitentiary. "I've never really thought about it," the boy says.

THE CHILDREN WERE RAPISTS

That month, the children were rapists, not the adults. In the Juvenile Court, the Judge was hearing the case of a thirteen-year-old girl raped by five boys, two of whom were under sixteen and three of whom had just passed seventeen and were therefore beyond the jurisdiction of this court. The girl was skinny, shamed, wearing ill-assorted, outgrown clothes; the boys were resplendent in their uniforms of black felt hats, three-quarter-length black leather coats, black trousers, and shoes. She knew all these boys. The story was odious but puzzling; it was as if kids' street games had turned into this. Like their elders, the children are nocturnal and nomadic. The girl had been twenty blocks from her home at ten at night, presumably to meet one of the boys, her steady. She was not a virgin before the mass assault.

The scene of this orgy for babies was the tenth-floor corridor of a giant apartment block which the state built, as slum clearance. A housing project. This one is a cold, inhuman congeries of buildings that look like factories, where the poor are packed together to form the densest population of the city. The crime rate there is also the highest. It must have been a fairly noisy event but no one opened a door into that corridor, no one looked out or called the police. The poor live in these apartments as if barricaded inside separate caves, hiding from wild animals. Slum clearance, which simply produces bigger slums, is a hideous joke; everyone knows this, yet the great slums of the future are still planned and erected.

The juvenile rapists were sentenced to reform school; the older ones went free because the girl's mother could not bear to prosecute them in public at the Municipal Courts. The two boys, led off to the detention wing, asked about their leather coats: could they send them home, would they be safe, were they going to lose them? The coats were all their status in the world. Later, waiting in a little room for a different sort of uniform, they put their heads down on a table and looked like scared children.

The Juvenile Court is a heartbreak place, for here the pitiful, usually fatherless families start to crack up, and the children are marked with their first official brand as failures. A Negro woman, helplessly weeping, agrees that her son must be sent away to reform school; he isn't a criminal yet, he is a rebel; she cannot control him. The boy, aged fourteen, gets up from his chair, kisses her quickly and gently on the cheek, pats her shoulder, and goes through the door which is a door to jail, head high. Another woman, screaming with tears, follows her daughter to that door which shuts in her face. "No! No! You ain't gonna take my daughter! I wants my daughter! I needs my daughter! What you tryin' to do, take all my chillrun away from me! I loves my chillrun! I needs my chillrun!" This is the worst; there is no gleam of light here, it is pure tragedy.

"Yes, these people got a lot of love," says the young Negro Juvenile Officer. He has left that messy, passionate, menaced basement life far behind. He is well integrated into the American Way of Life. "But love isn't enough."

In the adult courts, even in murder cases, one has glimpses of the basement life which are not all folly and misery, mistakes and hardship. There are hints of indomitable gaiety; people living on the bottom of the world are still so alive that they make joy for themselves, out of nothing, on the spur of the moment. There are hints, too, of a prevailing generosity; the impoverished are always lending money, regardless of risk. And in these families, amputated by poverty, brothers and sisters are loyal to each other, and the mother loves unquestioningly. Their friendships are astounding too, as if

each man had a private little country made up of his friends. Their lives are nightmares of insecurity, and yet they have saved some human qualities which are not so readily found on the comfortable upper storeys of our society; enviable human qualities. You catch sight of these, briefly, even in murder trials.

A quite beautiful Negro woman, with small, elegant features and a Nefertiti neck, had been giving a party. Her brother-in-law dropped in, bringing a friend of his; a woman neighbor came along bring a chum of hers. It was open-house hospitality, one of the most endearing aspects of basement life; strangers are welcome. There was music from the radio to dance to; the men went out and borrowed money to buy whiskey and beer; the unplanned party breezed on happily into the small hours. The beautiful woman, a widow, had an ex-lover, a bad type who had molested her daughter. She denounced him to the police for that, but he was now out of jail and had threatened her. She bought a rifle and told her troubles to her brother-in-law, a handsome bus driver studying to become a preacher. At 2:30 in the morning, the ex-lover arrived, drunk, to crash the impromptu party.

"He talked in a rough tone like he was ready to take on anybody," said the bus driver, on the witness stand. Presently, the ex-lover put his hand in his pocket, a fatal gesture; it means reaching for a gun. The bus driver jumped him; they fought in the kitchen; the bus driver was winning, the ex-lover was flat on the floor, his shoulders held down. Suddenly there were three shots, the ex-lover was dead, and panic set in. If guns were not as available as transistor radios, there would have been no death that night. There would have been a fight, and an unwanted drunk would have been kicked out of the house.

SHEEP TO THE SLAUGHTER

Now, in a Circuit Court, the bus driver's companion is accused of this murder and has signed a confession but retracted it. He had never seen the beautiful woman and the ex-lover before that night; he came to the party with the bus driver, his best friend, his hero. The accused was a slow, simple fellow, a dutiful wage earner, with not so much as a parking ticket against his name. At the last minute his family hired a lawyer, but the lawyer could get no sensible story from his client. Bewildered and outraged by this sheep led to the slaughter, the lawyer asked, "Why did you sign that confession?" It was indeed baffling. The beautiful woman had confessed too, but the police made no record of her confession and she later denied it. Yet she was the obvious suspect; she alone had cause to hate and fear her ex-lover. "The police tell me she was having a heart attack so I better sign up and stop all the trouble." He was sentenced to two years in the penitentiary for manslaughter; the jury was uneasy about the case, and allotted the minimum punishment. It turned out that the murdered ex-lover had no gun in his pocket anyhow, but who was to know?

This murder was even more meaningless. A very thin, small young Negro sits in the chair of the accused; he is shrunken inside a cheap suit. The light and space and voices of the courtroom dazzle him. He has been sitting in a cell in the City Jail for eleven long months, waiting for his trial. An essential witness vanished, so the trial was delayed. The accused of course could not pay a bondsman's fee and thus buy his last months of freedom. Nearly a year ago, in a slum coffee shop at four in the morning, he shot and killed another young man; after which he ran to his girl friend's house and wept. She hid the gun under her bed and they took a taxi to his sister's house. The sister and a neighbor advised that he call the police; it was not a hard case for the

cops. The law is not obliged to make sense of a crime, nor does it try.

The first witness for the state was the girl friend, now nineteen years old. At sixteen she and the youth James became something, it is not clear what, because the accused is a homosexual. In the opinion of the detectives and lawyers, this was a crime of passion but the wrong way round. The murdered man was James's lover, jealous of the girl and more jealous of a new boy who was about to replace him. The victim, properly, should have done the shooting. If there is a grain of reason in it, one must assume that James feared this and shot first.

The girl friend, pot-faced, homely, wearing a bandanna and a grimy coat, took the oath and settled in the witness chair. She had not seen James since the night of the murder. For a moment, the lawyers huddled in consultation with the Judge; everyone forgot these two. Unnoticed by the white grown-ups, they smiled at each other across the well of the court, smiled with such warmth and gentleness and love as one rarely sees anywhere. Then the white grown-ups took over again. The girl's face went blank; she answered in monosyllables; she seemed nearly half-witted in her stupidity; she didn't want to send this frail idiotic boy to prison.

The missing witness had been found; he was apparently the new love and the cause of the tragedy. He was an impish coffee-colored boy, whom the police located at last because, in a gay mood, tight as a tick, he stole a Greyhound bus in Arkansas and drove it straight into a wall. The Arkansas police extradited him. When the news of this subsidiary crime came out, everyone in court laughed; so did he. "Are you a homosexual?" the State's Attorney asked. "Not that I know of."

Without a gun, this grotesque story would have finished in a tiff, insults, pique, a general change of partners, and they would have forgotten there was anything to tiff about, and gone on their obscure, harmless way. Instead one young man is dead and James was sentenced to twenty years in the penitentiary which, for all practical purposes, is the end of that mixed-up life.

THE BIGGEST AND THE BEST

These are samples of the major crimes: murder, rape, robbery, assault. And samples of the criminals. They do not look very impressive, supposing that a criminal has some ability in his work. They look like people whose lives have been a downward spiral since childhood. "We never get any clever people in here," said the Circuit Attorney. Statistics appear to bear out the observation of eye and ear, for in 1965 only 36.8 per cent of all crimes in St. Louis were solved; and this is approximately the national average. The uncaught 63.2 per cent of criminals must be the more competent and deadly: the psychotic killers; the vandals whose lust is to destroy rather than steal, or destroy what they cannot steal; the sadists who beat their victims as much for that pleasure as for the stolen wallet; the rapists; the successful robbers.

The basement of our society is unfit for human habitation, a disgrace to the world's richest nation, and moreover it is victimized. The criminals who are spawned there prey first on their neighbors, the law-abiding poor. Aside from being unlivable, a disgrace and a menace, our national basement is also an armory. It begins to seem that everyone in it is armed with a gun and fear of the other man's gun.

Missouri is one of the seven states in the Union that forbid the purchase of handguns without a police permit. But anyone can buy a gun across the river in Illinois, or order a dozen by mail, or pick up a second-hand weapon on a dingy street corner for \$5.00 if he is known in the neighborhood. Testifying on a proposed (but shelved) Fed-

eral Firearms Act before a Senate Subcommittee, the chief law-enforcement officers from every crime-ridden city in America stated that the growing volume and violence of crime are directly related to our free-for-all system of obtaining weapons. No other civilized Western democracy indulges in such insanity; nowhere else can lethal weapons be acquired as easily as tennis rackets. But we've always been hipped on being biggest and best, so perhaps it is not surprising that we also have the biggest and best slums, the biggest and best private armaments, and the biggest and best crime.

Mr. DODD. And, Mr. President, the same issue of Harper's included an anecdotal view of the student body of one university, the University of Texas, following a sickening shootout by a sick college student who murders some dozen and a half innocent people and wounded twice that number.

I ask unanimous consent to insert it in the RECORD for the benefit of my colleagues as this Congress considers legislation to control the traffic in firearms.

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

GUNS ON THE CAMPUS

Any adult who is not a felon may buy any common type of weapon in Texas, and no registration or adequate record is usually made. Cheap guns are sold in department and sporting goods stores, and I know of drug and liquor stores that carry them. Ammunition may be purchased at the supermarket or the drive-in.

Texas do not find this surprising. A series of censuses of my classes has revealed that, on the average, about half the boys and perhaps a third of the girls have weapons with them at the University [of Texas]. Normally about 25 per cent of the gun owners in my classes admit to keeping pistols. When I have asked the students why they feel the necessity for firearms in their rooms or glove compartments, they have universally replied that they need them "for protection." When I have asked what they have that needs protecting at the hazard of their own lives or another's, they have become confused. As a result of a number of unfortunate incidents the University now prohibits the keeping of weapons in dormitory rooms—but this rule is flagrantly violated.

(Reece McGee, former associate professor of sociology at the University of Texas, writing in *The Nation*, December 21, 1963.)

AD HOC COMMITTEE ON HUMAN RIGHTS AND GENOCIDE TREATIES IS A STRONG FORCE IN PUSH FOR SENATE RATIFICATION—XXXV

Mr. PROXMIRE. Mr. President, as I rise today to urge Senate ratification of the Human Rights Conventions on Forced Labor, Genocide, Political Rights of Women, and Slavery, I want to pay tribute to a group which has played a major role in the drive for Senate ratification—the ad hoc Committee on Human Rights and Genocide Treaties.

The ad hoc Committee on Human Rights and Genocide Treaties is a deeply committed, actively engaged coalition of 51 labor, religious, civic, and nationality groups. Although only 3 years old, the committee has effectively carried the case for Senate ratification to millions of people. The fact that after almost 4 years the Foreign Relations

Committee has held hearings on the Conventions on Forced Labor, Political Rights of Women, and Slavery is, in part, a tribute to the ad hoc committee's efforts.

I have had the privilege of working closely with the ad hoc committee in our mutual campaign to win Senate ratification on the Human Rights Conventions. I have found the committee members and representatives to be informed and responsible citizens who care deeply about the United States and human rights.

The spokesman for the ad hoc Committee on Human Rights and Genocide Treaties who testified recently before the Foreign Relations Committee was Richard N. Gardner. Mr. Gardner is presently professor of law and international organizations at Columbia University. From 1961 to 1965, he served as Deputy Assistant Secretary of State for International Organization Affairs. Mr. Gardner's appearance was indeed fitting in view of the fact that he was President Kennedy's principal adviser when the late President submitted the Human Rights Conventions to the Senate.

The ad hoc committee has publicly reaffirmed once again its commitment to Senate ratification of the Genocide Convention. While the committee is gratified by the progress the other three Human Rights Conventions appear to be making, the committee believes strongly, as I do, that Senate ratification of the Genocide Convention is imperative.

Mr. President, I commend the ad hoc Committee on Human Rights and Genocide Treaties for its invaluable and inspired efforts to secure Senate ratification of the Human Rights Conventions.

I request unanimous consent that the names of the 51 groups comprising the ad hoc Committee on Human Rights and Genocide Treaties be printed at this point in the RECORD.

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

AD HOC COMMITTEE ON THE HUMAN RIGHTS AND GENOCIDE TREATIES—MEMBER ORGANIZATIONS

- American Civil Liberties Union.
- American Ethical Union.
- American Federation of State, County and Municipal Employees, AFL-CIO.
- American Federation of Teachers, AFL-CIO.
- American Friends Service Committee.
- American Humanist Association.
- American Jewish Committee.
- American Jewish Congress.
- American Roumanian National Committee.
- American Veterans Committee.
- Americans for Democratic Action.
- B'nai B'rith.
- Brotherhood of Sleeping Car Porters, AFL-CIO.
- The Episcopal Church.
- Farband, Labor Zionist Order.
- Friends Committee on National Legislation.
- General Board of Christian Social Concerns, the Methodist Church.
- Hadassah, the Women's Zionist Organization of America.
- Industrial Union Department, AFL-CIO.
- International Ladies' Garment Workers' Union, AFL-CIO.
- International Rescue Committee.
- International Union of Electrical Workers, AFL-CIO.

Jewish Labor Committee.
 Jewish War Veterans.
 League for Industrial Democracy.
 National Association of Negro Business and Professional Women's Clubs.
 National Association for the Advancement of Colored People.
 National Board, YWCA.
 National Catholic Conference for Interracial Justice.
 National Community Relations Advisory Council.
 National Conference of Christians and Jews.
 National Council of Jewish Women.
 National Spiritual Assembly of Baha'is of the U.S.
 Quaker UN Program.
 Retail, Wholesale and Department Store Union, AFL-CIO.
 Textile Workers Union of America, AFL-CIO.
 Ukrainian Congress Committee of America.
 Ukrainian National Association.
 Union of American Hebrew Congregations.
 Unitarian-Universalist Association.
 United Automobile Workers of America, AFL-CIO.
 United Church of Christ.
 United World Federalists.
 Women United for the United Nations.
 Women's International League for Peace and Freedom.
 Workers Defense League.
 Workmen's Circle.
 World Jewish Congress, American Section.

ADVISORY MEMBERS

Catholic Association for International Peace.
 Conference of UN Representatives of the Council of Organizations, UNA-USA.
 National Council of the Churches of Christ in the U.S.A.

STUDENT ATTAINMENT IN MATHEMATICS

Mr. PELL. Mr. President, the front page of the Washington Post of March 7, 1967, contained an interesting article which pointed out that in a 12-nation comparison of student attainment in the field of mathematics, the United States ranked fifth. The basis for this statement is a study to be published this month in New York entitled "International Study of Achievement in Mathematics," which was edited by Torsten Husen, of the University of Stockholm, Sweden; and a summary of its findings made public by the University of Chicago.

It should be noted that this comparison was done on a random sample basis and that a spokesman for the U.S. Office of Education cautioned that national rankings may be unfair. However, as the old saying goes, "Where there is smoke, there is fire," and one must take alarm at the words of Prof. Benjamin Bloom, principal American member of the research team, who stated:

The best overall job of mathematics instruction in public schools appears to be done in Japan. The United States is among the least effective in this respect.

I ask unanimous consent that the article, written by Gerald Grant, Washington Post staff writer, be printed at this point in the RECORD.

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

U.S. PUPILS TRAIL JAPAN, FOUR OTHERS IN 12-NATION MATH COMPARISON

(By Gerald Grant, Washington Post staff writer)

The first large-scale international comparison of how well students learn math shows the United States lagging behind Japan and several European countries.

America suffers somewhat in the rankings because comprehensive high schools here are compared with elite European schools serving a much smaller, more select group of pupils. This is like comparing a prep school with a large city high school.

However, when adjustments are made for this discrepancy, the United States still falls significantly behind Japan, England, Sweden, France and Belgium. But American youngsters outscore pupils in Australia, Germany, Scotland, Finland and the Netherlands.

More than 130,000 youngsters in 12 countries were tested during the five-year study. Educators claim it is the first international study using tests that scholars agreed were fair to all countries involved.

The tests measured a wide range of mathematical skills including reasoning, capacity to analyze problems, techniques and skills, ability to translate a verbal problem into symbols and "inventiveness."

Results will be published this month by John Wiley and Sons, Inc. in New York under the title "International Study of Achievement in Mathematics," editor by Torsten Husen of the University of Stockholm, Sweden.

Students were tested at age 13 and during the final year of secondary school.

The mass of data collected by the researchers has already produced some disagreement about the significance of the results.

A summary of the findings made public by the University of Chicago and approved by the principal American member of the research team, Prof. Benjamin Bloom, says flatly:

"The best overall job of mathematics instruction in public schools appears to be done in Japan. The United States is among the least effective in this respect."

George S. Carnett, a research coordinator at the U.S. Office of Education, which partially supported the study, cautions that national rankings may be unfair.

According to the Chicago analysis, here are some highlights of the study.

Among 13-year-olds, the United States ranked eighth, with 43 per cent scoring in the top half on the test and 5 per cent in the top tenth. This compares with 76 per cent of Japanese 13-year-olds scoring in the top half and 31 per cent in the top tenth. Trailing front-ranked Japan in this age group were Belgium, the Netherlands, Australia, Scotland, England and France, the United States, Sweden and Finland, in that order.

At the end of secondary school, the leading countries for students scoring in the top tenth on the test were England, Japan and Belgium, with the United States lagging considerably behind.

However, both these comparisons unfairly penalize America for educating such a large percentage of students, compared with European schools that screen out less able pupils.

In America, nearly 70 per cent of the pupils finish high school. Generally less than a fifth of the students in most European countries complete secondary school.

One exception is Japan, where 57 per cent of the students graduate from secondary schools. And while the United States scored below countries with more selective schools systems in France and England, Japan outranked them.

When the results were interpreted to show how students fared as a percentage of their

total age group, rather than as a percentage of the age group lucky enough to be in school, America's ranking improved markedly.

Again, Japan was first with 1.75 per cent of all youngsters in an age group scoring in the top tenth on the test. England and Sweden followed with 1.3 per cent; Belgium 1.1 per cent, United States slightly less than 1 per cent. Australia, Germany, Scotland, the Netherlands and Finland all trailed the United States with less than one-half of one per cent.

It was also found that the best students among comprehensive American schools do as well as the best students in the elite European or Japanese schools.

In general, selective schools in Europe tend "to succeed relatively well in bringing a small student body up to outstanding accomplishment," the Chicago analysis concluded. But American-style comprehensive schools "can bring a larger group of students up to fairly high levels of performance."

Prof. Arthur W. Foshay of Columbia University, one of the project researchers, says that therefore the American schools "serve the population better than selective secondary schools on the European model."

Other highlights of the study:

Students who have had the "new math" seem to do better than those following traditional methods of instruction, but the sample in the study who had the new math was not regarded large enough to be conclusive.

Boys have more interest in math than girls and do better at it. But differences in math scores between the sexes are not as pronounced at coeducational schools as they are between all-boy and all-girl schools.

Class size appears to have an inconclusive relationship to pupil achievement. Average class size ranged from 24 in Belgium to 41 in Japan. Nor does amount of time devoted to math seem to be directly related to achievement: Japanese students who received only five hours of math instruction per week outscored French pupils who received an average of nine.

In countries with the best math scores, students "tend to consider mathematics an important subject for the society."

However, the first two volumes of the study that will be published this month do not attempt to deal in detail with the reasons why some countries do better than others in mathematics achievement. This will await further analysis of the data.

Carnett, in an article to be published by the U.S. Office of Education, suggests that the lack of qualified math teachers may have affected American achievement. He notes that a recent survey here showed that only 70 per cent of the new-math teachers hired last year were fully qualified to teach the subject.

The international study was carried out by research centers in the countries involved, each of which bore its own costs. The U.S. Office of Education furnished \$450,000 for planning and international meetings.

Mr. PELL. Mr. President, reading this article brought to mind the fact that there is a growing controversy in our country about the ranking and testing of students. The catalyst in this controversy has been the Carnegie Corp., which, in conjunction with the Ford Foundation's Fund for the Advancement of Education, is presently conducting a pilot national testing program entitled the National Assessment of Educational Progress. Unfortunately, many elementary and secondary school administrators and educators have been critical of this testing program and have gone so far as to urge their fellow administrators

and educators throughout the country to withhold cooperation with the Carnegie study group.

I believe it is most unfortunate that such a short-sighted stance should be taken by these individuals and groups. Their reaction has been somewhat visceral and emotional, for they see the Carnegie study as either a present attack on their performance or the prelude to future action detrimental to their positions. Therefore, I was most interested to read in the Providence Journal of February 18, 1967, an editorial entitled "A Vital Student Testing Tool," which succinctly sets forth the issues, chastises those who oppose the national assessment project, and also points out the great need for a program of this type. I ask unanimous consent that the editorial be printed at this point in the RECORD.

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

A VITAL STUDENT TESTING TOOL

School superintendents around the country who oppose the National Assessment of Educational Progress are fighting a losing battle. Clearly, they deserve to lose.

This project, which has strong backing from the nation's top education leaders, offers too much promise to be scuttled or even down-graded by school administrators who fear that by comparison their image may suffer, that the assessment may force them to alter their pet modes of operation or that it may lead to national testing and a national curriculum.

The project in recent months has aroused a searing controversy in teaching circles. It is supported by funds from the Carnegie Corporation and the Ford Foundation's Fund for the Advancement of Education. No federal monies are involved. Up to 5,000,000 youngsters aged 9, 13 and 17 and some young adults eventually will be tested to determine what they have learned in various subjects. The program will compare reading levels, for example, and relate achievement to economic background.

Last month the executive committee of the American Association of School Administrators advised the organization's 16,000 members not to cooperate with the project. The assessment, it said, "will be coercive, will inevitably lead to the pressure of regional, state and local comparisons, and will have national overtones in the dispensing of federal aid."

Former U.S. Commissioner of Education Francis Keppel called this position "ridiculous." We agree.

How anyone interested in education, let alone professional educators and school administrators, can rationalize opposition to the plan is difficult to understand. As the Carnegie Corporation said, "A nation that has hitched its destiny to the star of education and pours billions of dollars into the enterprise is collectively crazy if it does not try to find out the result of all this effort. We don't know . . . whether most high school graduates know more or less above more or fewer things than high school graduates did 20 years ago."

America needs this important data. While every effort is being made by project officials to avoid invidious comparisons at the local and state levels, perhaps the sensibilities of those who run our schools are being too warmly coddled. The instinct of professional self-preservation cannot be allowed to stand in the way of what is best for the youth of this and future generations.

Mr. PELL. Lastly, Mr. President, I invite the attention of the Senate to S. 367, a bill to promote excellence in edu-

cation, and for other purposes, introduced by me and the Senator from Kentucky [Mr. COOPER]. This proposal would provide for a voluntary program of national assessment to be administered by the Department of Health, Education, and Welfare. I realize that the final report of the Carnegie Corp.'s national assessment program is vital before action can be taken on this measure. However, it is interesting to note that the recognized leaders in education in our country realize that some type of mechanism is needed to assure that we are getting the most for our educational dollar and that our greatest national asset, our youth, are not being given a second-rate education.

The enactment of S. 367 would provide a vehicle to assure that education in this country is excellent and would have the ultimate result of revising those alarming statistics previously noted in the Washington Post article.

THE KENNEDY ROUND

Mr. SYMINGTON. Mr. President, with respect to negotiations now going on, many people are concerned that, in seeking some food aid contribution by the Common Market countries as part of the grains agreement, U.S. negotiators will make questionable concessions in our industrial tariffs.

If after these concessions are made the Senate rejects the grains agreement, the United States would pay twice—first in accepting the high variable levies, partly in return for EEC food aid to underdeveloped countries which in themselves would limit U.S. grain exports to the Common Market; second, in agreeing to lower industrial tariffs that would mean increased imports into the United States.

Moreover, the supplying of food aid to underdeveloped countries by the EEC is actually of little benefit to U.S. balance of payments, because we can supply surplus grains to these underdeveloped countries which would be counted as exports, and therefore a plus item in our payments.

Again, therefore, it would be unfortunate if the United States, in order to get the EEC to supply food aid, agreed to high variable levies which would limit our exports to that same Common Market.

NUCLEAR SHIP "SAVANNAH"—RESOLUTION OF CITY OF GALVESTON, TEX.

Mr. TOWER. Mr. President, the City Council of the City of Galveston, Tex., recently passed a resolution opposing the decision made to lay up the nuclear-powered cargo liner *Savannah*. The council was courteous enough to furnish me with a copy of the resolution, and I ask unanimous consent that it be printed in the RECORD.

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

RESOLUTION

"Whereas, decision has been made by the Federal Government to lay up the Nuclear-powered Cargo Liner *Savannah*; and

"Whereas, this swift 23-knot vessel is needed when the Vietnam sealift is being maintained by slower outmoded ships from the mothball fleet; and

"Whereas, the United States has enjoyed an improved image as a result of the tremendous impact of this vessel's voyages around the world; and

"Whereas, we, the Members of the City Council of the City of Galveston, feel that the dividends the *Savannah* has delivered to our country in terms of prestige, goodwill and scientific advancement far outweigh the cost of its operation: Now, therefore, be it

Resolved, That we, the City Council of the City of Galveston, Texas, urge your full support in our efforts to retain the N. S. *Savannah* in service and call upon the Congress of the United States to act immediately in our behalf."

I, Patsy M. Poole, City Secretary of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of resolution adopted by the Council of the City of Galveston at its meeting held on the 23rd day of February, 1967, as the same appears in records of this office.

In witness whereof, I subscribe my name officially hereto under the corporate seal of the City of Galveston on this the 24th day of February, 1967.

PATSY M. POOLE,
Secretary of the Council,
City of Galveston, Tex.

DISTINGUISHED SERVICE AWARD TO WILLIAM REESE, NEW HAVEN, CONN.

Mr. DODD. Mr. President, I invite the attention of the Senate to the words of a young man who already, in a relatively short life, has earned the respect and admiration not only of his neighbors in New Haven but of his many friends throughout the State.

An early and active participant in urban redevelopment, a leader of the Young Democrats, and an alderman on the city council, William Reese was recently presented the Distinguished Service Award by the New Haven Junior Chamber of Commerce.

I ask unanimous consent that the remarks he made when accepting this award be printed in the RECORD.

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

REMARKS UPON RECEPTION OF DISTINGUISHED SERVICE AWARD BY WILLIAM H. H. REESE AT AWARD BANQUET OF JAYCEES, PARK PLAZA HOTEL, MARCH 1, 1967

This high award is deeply moving and stirs within me a sense of its unusual significance. The Distinguished Service Award enables one to march in the ranks of honor with other recipients—with Paul Elsberry, Harlan Kleiman, Bob Frankes, Bob Forsberg, Bob Zampano. I am very grateful to my nominator, Carl Feen, to the Judges, and to the Jaycees for the confidence and the trust placed in me and shall always conduct myself to be worthy of it.

But in a larger sense we are here to celebrate not the presentation of an important award but rather the participation of young men as community leaders. This award dramatically symbolizes the proposition that young men can change the world. Truly, they can change the world: William Pitt, one of England's greatest prime ministers was first appointed at the age of 25; Shakespeare wrote "Romeo and Juliet" at 30; Michaelangelo created the Pieta at 26; Einstein evolved his theory of relativity at 26; Newton discovered the theory of gravity at 23; by 26

Churchill had published 5 books and was first elected to Parliament; at 32 Jefferson wrote the Declaration of Independence. In our time, the ten outstanding young men selected each year by your national organization have all made tremendous contributions at a tender age.

As we enter the final third of the twentieth century, the world is rapidly becoming a young man's world: by 1970, 48% of the American population will be under age 24. The energy and education of the young have given them an advantage in our complicated tele-communicated, automated society. And, yet, the problems, with which the young must deal, and which weight heavily on their minds, have no historical precedent: The problems of mass transportation and full employment; the problems of the dispossessed and the disinherited of our convulsing cities, the high incidence of mental illness; dope addiction and crime; the war in Vietnam; the cold war; and the control of nuclear weapons.

It is therefore essential that members of our generation assume positions of leadership and dedicate themselves to solving these problems, if we are to pass to our children a better world.

The leaders of our generation must escape from the narrow confines of self interest and serve others with sincerity and with charity. They must develop self discipline and high personal integrity which holds fast to that which is permanently true. They must heed the words of Isaiah: "Justice will bring about peace; right will produce calm and security".

The leaders of our generation must have the judgment to select worthy objectives, which inspire the loyalty of others, and must have the ability to translate those objectives into immediate tasks.

The leaders of our generation must have the self confidence and the courage to assume the responsibility to perform those tasks and must diligently, persistently organize and effect the required action.

The leaders of our generation must have an intense will to win; that indomitable spirit that is willing to destroy the chains of old customs and to create new opportunities; that spirit that is willing to escape from the bondage of the past to direct the exciting activities of the present, that spirit that is willing to believe in a new and better world and has the precious sense of purpose to construct it.

This concept of leadership, inspired in large part by my experience as chairman of your Leadership Training Committee in 1958, motivated me to move into a deprived neighborhood and to pursue a career in public service.

It was to improve the general condition of the people among whom I live that I purchased a home in the Dwight Redevelopment area, a once-lovely section of town that had steadily deteriorated because of the lack of concern for a quarter of a century. Participating in this fundamental fashion in the physical and spiritual rehabilitation of my neighborhood has been enjoyable and beneficial. There is now a new energy in Dwight, a new vitality, a new pride. Many blighting and sub-standard structures have been removed; nonconforming uses are being relocated. We are graced by magnificent quarters for our senior citizens and by a new and improved school, where a summer program for our children was successfully initiated last year. A vest-pocket park, off street parking facilities and three low and middle income apartment houses are under construction. Many dusty old buildings have been restored to elegant representations of a former era. Most important, we have made great progress in creating a vital and diverse neighborhood within which people of different background and circumstances can live peaceful, productive, decent lives.

Public service has offered me the best op-

portunity to advance the well being of the community—

To advance the health of our people by struggling to eradicate air pollution;

To advance the abolition of racial discrimination by actively supporting two civil rights ordinances;

To advance the beauty of our city by assisting to preserve East Rock Park, the library, City Hall and the traditional character of the Green;

To advance the cultural activities of the community by introducing legislation to institute a Fine Arts Commission.

To advance the generous humane impulse in the 600 foreign students who temporarily live among us and in our many visitors and in all those who look to us for guidance by helping to establish here in New Haven a community which can serve as a beacon not only of the proper functioning of the democratic process but also of the fulfillment of the grandest ideals of the American dream.

The Jaycees, in honoring these objectives—an honor which shall serve as a source of great encouragement to me—pays tribute to herself, for she is dedicated to creating a better world and to developing young leaders as instruments of that endeavor. Let us therefore reaffirm our faith in the fundamental principles of the Jaycees and strive to make them a reality. It is in this spirit and with all humility that I accept your high award, which I shall "Bequeath to [my] issue as prized treasure".

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

ORDER OF BUSINESS

The PRESIDING OFFICER. As in legislative session, under the previous order, the Senator from Pennsylvania is recognized.

Mr. SCOTT. Mr. President, I ask unanimous consent that Mr. Barton Hertzbach, of the staff of the Subcommittee on Improvements in Judicial Machinery of the Senate Committee on the Judiciary, be accorded the privileges of the floor during my remarks.

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

FEDERAL REVENUE SHARING WITH THE STATES

Mr. SCOTT. Mr. President, before I begin my discussion of the crime report, I wish to congratulate the present distinguished occupant of the chair, the Senator from Tennessee [Mr. BAKER], for his bill providing for the sharing of Federal revenues with the States on a no-strings-attached basis. I am happy to be included among those cosponsoring this bill.

I believe it is a useful, important, and challenging concept in dealing with one of the most serious problems confronting the Government today; namely, the problem created by the seizure of the tax base by the Federal Government and the frequent lack of willingness on the part of too many State governments in the past to use the taxing power they have, or to move to recapture some of the taxing power which they have lost, either in whole or in part.

Mr. President, I am most happy that the Senator from Tennessee is making this move. I have my own tax-sharing bill as well, because I believe that we can consider various parallel approaches. I hope that before this session of Congress ends we may be able to establish the tax-sharing principle before the whole game is lost and the States become mere appendages to an overly large and often capricious Federal Establishment.

The PRESIDING OFFICER (Mr. BAKER in the chair). The Senator from Tennessee is proud to cosponsor with the Senator from Pennsylvania his proposal in this direction. I thank the Senator very much.

CRIME IN AMERICA

Mr. SCOTT. Mr. President, the failure of our society today is its inability to maintain law and order. For what is the purpose of society if not to provide a setting in which citizens may live productive lives, free of the fear that others are able to abridge their rights, injure, or kill them at will? A nation guided by law must be a nation protected by law.

It is especially significant that in recent years, while the standard of living in the United States has increased—in economic growth, average income, educational levels, technological know-how—the rate of crime has not decreased. Today it is worse than ever.

This is a shocking commentary on a "justice gap." A nation within reach of the moon cannot guarantee its citizens the safety of their streets.

We have failed to grant the highest priorities to the maintenance of law and order. Therefore, I commend the President's Commission on Law Enforcement and Administration of Justice for its report focusing attention on the extent of crime pervading American society and proposing methods that can be employed to reduce it. On the basis of this report, our Nation must make clear its commitment to total involvement in this crucial area, and commitment must be followed by appropriate action.

BASIC CONSIDERATIONS

As we apply ourselves to such a task, there are certain basic considerations which must underlie our approach.

POVERTY AND CRIME

There are no simple answers. While poverty breeds crime, all crime does not arise from poverty. Poor people are not the only ones who cheat on their tax returns or arrange fraudulent transactions. The poor do not control the national crime syndicates. The motivation for sexual assaults is not money. While there have been many well-meaning attempts to increase economic levels and better the overall living conditions, they have brought no significant decrease in criminal activity. Far from suggesting an end to necessary social welfare legislation, I counsel acceptance of clear evidence that more than egalitarian proposals are required to roll back the crime-wave.

FEDERAL-STATE PARTNERSHIP

Any approach to crime fighting must be a combined and cooperative undertaking of the Federal Government and the States to be effective. The Safe Streets Act of 1967—S. 917—which I co-sponsored, takes a meaningful step in this direction. Although it creates an incentive through Federal grants, this legislation leaves the initiative for specific action with the State and local governments. But I would caution anyone against thinking that a system of Federal grants for research, equipment, and the like is the whole solution. The Federal Government has a continuing responsibility in this area, and "passing the buck" even where it is the Federal buck, does not totally fulfill this responsibility.

I am also concerned by the present confusion in the Federal Government's policy of planning assistance to State and local governments in all activities, not only in those directly related to crime. I have recently introduced the Comprehensive Planning and Coordination Act of 1967—S. 799—the purpose of which is to strengthen, through a coordinated approach, the method of funding and planning various Government functions, such as transportation, water supply, pollution control, and law enforcement. The planning contemplated in the Safe Streets Act must similarly be related to and coordinated with the long-range plans of the States and localities in other problem areas also, and together with these other functional plans, it must fit into the overall comprehensive development plan of a State or locality.

PUBLIC SUPPORT

An effective program of crime fighting requires a community effort. Citizen involvement is a necessity. Law enforcement personnel, at all levels, cannot function in a vacuum.

There should be an increased dialog between law enforcement agencies and the people to make them aware of the important role they can play in this field. Public support should be evidenced in all areas open to a concerned citizenry, including a willingness to bear increased tax burdens. It will cost money to bring the necessary personnel and equipment to bear on this problem.

A citizen who shirks his duty in this area is not necessarily an accessory to the crime, but he undoubtedly weakens the entire fabric of law and order. This shirking can range from the reluctance to volunteer information on suspicious activities to turning away from an elderly man under attack by a bunch of young hoodlums. In this latter area, citizen involvement might be encouraged by Good Samaritan laws which would provide reimbursement for persons injured while attempting to prevent a crime from being committed. It would be useful to examine the effectiveness of this approach.

AN EFFECTIVE CRIMINAL JUSTICE SYSTEM

While there are many components to a successful criminal justice system, I will concentrate this discussion on three: The facts which go into it, the criminal

justice system itself, and the people affected by it.

THE FACTS

NATIONAL INSTITUTE OF CRIMINAL JUSTICE

A bill to establish a National Institute of Criminal Justice—S. 992—has been introduced in the Senate. The stated purpose of the Institute would be to "conduct research and development projects in crime prevention and control, the administration of justice, and the rehabilitation of offenders." Seeking new ways to strengthen and implement the Federal-State partnership in these areas, the Institute would examine the causes of crime, the means of preventing it, and the theories and techniques for correction and rehabilitation. In effect, this would create a permanent body to carry on the task performed by the President's Commission on Law Enforcement and Administration of Justice. This proposal falls within the range of proposals which might merit support under the Safe Streets Act of 1967, but its paramount importance in the Nation's assault on crime would seem to call for a specific legislative proposal to this effect.

REGIONAL ACADEMIES OF CRIMINAL JUSTICE

Another relevant area is covered by a bill that also would establish Regional Academies of Criminal Justice—S. 993. These academies, as opposed to the national outlook of the national institute, would conduct research in the field with emphasis on problems peculiar to their regions. They would offer nondegree training in administrative techniques and management. The extensive resources of the universities would be brought to bear on a permanent basis on this problem through these regional academies. These institutes could also be used to teach those who staff the basic training institutions, the police academies, and the colleges of police science. Both these bills, for a national institute and for regional academies, appear to be useful components in an effective system of criminal justice.

OBSTRUCTION OF INVESTIGATIONS AND WITNESS IMMUNITY

When it comes to the problem of obtaining information about specific criminal cases, the law enforcement agencies need more useful tools. For example while it is presently a crime to obstruct a court proceeding, it is not a crime to obstruct an investigation. Thus, by successfully stifling the flow of information at the investigative level either through violence or the threat of violence shadowy interested persons prevent the case from ever reaching the courtroom. I am a cosponsor of legislation—S. 676—which would make such obstruction a Federal offense.

We need also a witness immunity statute. Through the proper legislative framework and with the proper safeguards, this would enable the U.S. Attorney General to grant immunity from prosecution to a witness where that witness could provide testimony essential to the conviction of the accused. Used with the proper attitude and in the appropriate circumstances, this bill would provide a useful tool in the war on crime. I have joined with other Senators in proposing such legislation—S. 677.

WIRETAPPING

Probably the most controversial means of obtaining information is through the technique called wiretapping. There are those who say that electronic eavesdropping is the only effective tool to fight many crimes. Others condemn this tool as a dangerous invasion of privacy. There are valid arguments on both sides. But the final decision must be based on both the rights of individuals and the need to protect society, not an emotional harangue which too often accompanies wiretapping debates.

The present U.S. wiretapping law is totally unsatisfactory. Neither the right of privacy nor enforcement of the law is adequately served.

There are presently two bills pending on this matter. One which I have co-sponsored—S. 928—would prohibit all wiretapping and eavesdropping, with the exception of national security cases. The other—S. 675—would permit wiretapping by duly authorized law-enforcement officers engaged in the investigation or prevention of specified categories of criminal offenses.

I am a cosponsor of the first bill because I am reluctant to authorize the overhearing of private conversations even where there is the possibility that important evidence concerning criminal activity will be uncovered. However, there may be a different way to accomplish the same objective and I look forward to hearings on both these bills.

If I may interpolate here, notwithstanding the general prohibition in my bill, I would certainly be openminded as to the inclusion of permissive action, with court approval, in such a case as kidnaping.

These three areas, obstruction of investigation, granting of immunity, and use of wiretapping should be especially considered within the context of the problem of organized crime syndicates. For it is here that the conspiracy of silence, backed up by convincing and brutal authority, is continually met.

Many believe that the implementation of legislation along the lines discussed above is the only means to successfully crack the organized crime syndicates which infest the Nation and have refined criminal activity to frightening new levels. Of particular concern is the corrupt link which exists between gambling syndicates and public officials. I have heard reports of the Commission's reluctance to attack this most damaging and widespread area of crime because of the linkage between big city machines and organized crime. I am glad that the Commission overcame its reluctance and gave a nod in that direction by inserting a chapter on organized crime. But more is needed than deprecatory utterances. This area must be diligently pursued, no matter what the damage to political organizations.

THE SYSTEM

If the criminal justice system needs facts on which to move, it also needs a workable and reasonable framework within which to use these facts.

REFORM OF FEDERAL CRIMINAL LAWS

As new laws are enacted on a multitude of subjects, there has been no com-

prehensive attempt to bring the entire body of criminal law into a consistent mold. Many laws which were born of another time, another mood, and other circumstances remain on the books. Many laws on the same kind of crime may be found in varied places throughout the United States Code. Penalties on similar violations and illegal activities are totally divergent and not always appropriate to the crime. This must be corrected if we are to have a workable and truly equitable framework for our criminal justice system.

In this context, a National Commission on Reform of Federal Criminal Laws was created by recent legislation. The Commission will make a complete study of the statutory and case law constituting the Federal system of criminal justice and make recommendations for revision, reform, and recodification of the criminal laws, including the repeal of unnecessary or undesirable statutes and appropriate changes in the penalty structure. As a cosponsor, I await the results of the Commission's toil with interest.

FEDERAL JUDICIAL CENTER

Our system to be effective requires courts administered in a manner which brings the accused to trial promptly. One means of reaching this goal might be the proposed Federal Judicial Center S. 915. This center would conduct research in all aspects of the Federal judicial administration and conduct programs to train personnel in the judicial branch of Government.

FEDERAL MAGISTRATES ACT

Another means of expediting the criminal justice process, while maintaining all necessary safeguards, is the plan proposed under the Federal Magistrates Act—S. 945—which I cosponsored. This legislation would make several important changes in the present U.S. commissioner system. The U.S. commissioner is the Federal officer who issues arrest and search warrants, fixes bail, and holds preliminary hearings in felony cases. This legislation would improve the quality of the commissioner system by increasing the responsibility of these officers, placing them on a salary basis, training them for the job, and requiring that they be attorneys. The U.S. commissioners can perform many vital functions as an adjunct to the Federal court system and leave the Federal judges with more time to devote themselves to trials and other more complex courtroom procedures.

JUDICIAL SELECTION

I concur most wholeheartedly in the Presidential Commission's conclusion that "the quality of the judiciary in large measure determines the quality of justice." The quality of the judiciary also determines whether equity is done. The Commission recommends strengthening presently ineffective screening procedures in the States for potential candidates for the judiciary. I endorse this approach and would further like to see such a screening procedure in the Federal system. To this end, I have introduced legislation—S. 949—proposing a Judicial Service Commission that would recommend to the President the most

qualified man to sit on the Federal bench.

There should be no doubt in the minds of the people that judicial ability and not political affiliation places men in a position to make important decisions affecting all our lives. Patronage considerations are a poor substitute for a totally unobligated judiciary corps.

APPELLATE REVIEW OF SENTENCES

On these lines, we should remember the tremendous discretion vested in the trial judge in the Federal system. This is as it should be. The trial judge is the individual who sees events reconstructed and people reacting in a manner which can hardly be reproduced on a record before the appellate court, no matter how extensive. There is always the safeguard that, if the trial judge be clearly in error, the appellate court can reverse. But one exception to this rule is the sentence imposed on one found guilty.

Under present conditions, courts of appeal have no authority to review a sentence, if it is within statutory limits. The result is that similar crimes under basically similar circumstances result in widely disparate and sometimes quite disproportionate sentences.

There are several undesirable results from such a condition: Appellate judges often look to technical errors on which to reverse the lower court judge, not because they feel the defendant not guilty, but because they feel the sentence somewhat out of line with the circumstances. Thus, the state of the criminal law and of judicial precedent is distorted. Many persons found guilty under similar circumstances naturally learn of the great disparities in sentences imposed on persons guilty of similar offenses. This may impede rehabilitation if the individual who receives a sentence longer than those of persons convicted under similar circumstances, without reasonable basis for the disparity, feels he has been treated unfairly by the system. Also, these disparities result in many appeals which might not occur were the system changed.

For instance, an individual found guilty might not really disagree with the finding of guilt, but be heavily shaken by the length of the sentence. If appeal were possible on the basis of the sentence, the trial judge might have attempted to sentence the individual more in line with the prevailing standard for the particular type of case in point. Thus the need for the appeal would be eliminated. At the least, the defendant might still appeal, but he would address himself to the real point in issue—the length of the sentence. Thus, the courts could focus on the main point in contention. In addition, the issue of sentencing might take less time than appeals based on supposed errors of law.

Over a dozen States and many foreign countries provide some form of judicial review of sentences. This issue is presently being studied by a Senate Judiciary Subcommittee—S. 2722, 89th Congress, second session.

CONSOLIDATED FEDERAL CORRECTIONS SYSTEM

Both this year and last, bills have been introduced which would create a consoli-

dated corrections system under the Department of Justice—S. 916.

The purpose of the proposed legislation is to end the undesirable effect of the fragmentation presently existing in our corrections process. Basically, probation and parole supervision are conducted as a part of the court system while prisoners and other institutional services are the responsibility of the executive branch. The proposed legislation would create a U.S. Corrections Service which would combine under a single direction the supervision of convicted persons, irrespective of whether they are confined in an institution or totally free in the community on probation or parole.

I look forward to hearings on this legislation in order to know the views of those most directly connected with these problems. For if such consolidation can bring into being a more effective Federal corrections system without creating an undesirable crossover between the prosecuting activities of the Department of Justice and the most effective correctional approaches, this would be desirable.

THE PEOPLE

Whenever we examine the workings of our criminal justice system, we must keep one thought uppermost in mind: We are dealing with people—injured people, accused people, frightened people, innocent people, and guilty people—guilty of varying crimes and in varying degrees. The paramount consideration in our efforts must be how the system affects these people. Flow charts, statistics, and analytical studies should ever erase the fact that this is a very, very human problem. We should be continually searching for ways to better the effects of the system on those people who come in contact with it.

In doing that, let us constantly bear in mind the necessity for harmonious relations between law enforcement officials and the public. This relationship should be founded upon mutual respect and confidence. Just as we expect the citizen to obey the law and to respect the institutions which rest upon it, so do we expect those who enforce the law to respect the rights of all individuals.

LAW ENFORCEMENT OFFICIALS

The law enforcement officer, undertaking grave risks daily, is one person coming in constant touch with the system. He must be able to undertake his tasks with a free mind—for it is an extremely difficult task that we ask him to undertake. For this reason, I have cosponsored legislation—S. 798—which would compensate the survivors of local law enforcement officers who have been killed while apprehending persons for committing a Federal crime. It is difficult to imagine the feeling that must be in the minds of the family of a law enforcement official every time he leaves home for the day's hazardous duty. This compensation plan, while not only creating an incentive to bring more top-level men into the law enforcement field, would also make a difficult job a bit less trying—and a bit more comforting.

VICTIMS OF CRIMINAL VIOLENCE

There are also those victims of crimes of violence whose injury, shock,

and broken lives are not reflected by scanning a list of crime statistics. Therefore, we should further examine pending legislation to create a Federal Violent Crimes Compensation Commission—S. 646.

CONFESSIONS

This is a subject, I may interpolate, of hearings that are now going on before the Senate Judiciary Subcommittee on Criminal Laws and Procedures. This subcommittee, under the chairmanship of the distinguished senior Senator from Arkansas [Mr. McCLELLAN], is developing a body of opinion from judges, lawyers, sociologists, academicians, and private citizens in many fields on the whole question of the Supreme Court decisions in the Escobedo and Miranda cases and is seeking to pick up the encouragement which appears at page 29 of the Miranda decision, where the Court urges Congress to examine this whole problem and encourages it to come up with a solution, which, I can only read into the Supreme Court's language, is a better proposed solution. The Supreme Court couples its encouragement to Congress with a judicial warning that the solution must be in consonance with the Constitution, the Bill of Rights, and presumably with the Court's disposition at that time. But the latest decision, the Miranda decision, hanging upon the tenuous thread of one man's opinion, is far from an ultimately satisfactory conclusion of a matter which affects not only the life and liberty of the accused, but also affects the life and security of all American citizens in this process.

I, therefore, hope that the Judiciary Subcommittee will be able to make recommendations to the full committee, and the full committee to the Senate, in order to find a way out which will prove to be fairer, more effective, and more in keeping with what the political scientists like to call "the genius of the people," in what will be truly best for the people in the long run.

So I hope the labors of Congress, so encouraged by the Supreme Court, may result usefully. While we do not need the encouragement of the Court, since we already have the stimulus of the opinion, nevertheless I am glad that the judicial branch feels that there are some functions left for the legislative branch to pursue.

I hope the executive branch will take note and that the President, in his search for a better system of law enforcement in this country, may provide a little encouragement to the legislative branch, as he fills the current vacancy and may perhaps be called upon to fill other vacancies on the High Court; because by the action of the President in his selection of candidates to make these judgments, the Court may perhaps some day be able to formulate some fundamental rules of law or, as some would think, changes in the law by something more than the hairline measure of the judgment of a single Justice.

Our criminal laws must seek to create and maintain an equitable balance between the rights of the individual and society. Laws must be drafted with as full purpose to protect the innocent as to preserve the rights of those charged

with offenses. Of course, the innocent can be either a victim of the crime or a person wrongly accused of committing it.

Today, there is much controversy about the manner in which the correct balance can be struck between these rights in the area of confessions. No doubt this is another instance where Congress must take a long, hard look.

There is currently before the Senate a bill—S. 674—which would relate the admissibility of confessions to the question of their voluntariness. As prestigious a body as the President's Commission recognized the importance of this issue. Although the main body of the report does not discuss this question, the additional views of seven members of the Commission appear at the end of the report. This statement declares that recent Supreme Court decisions that limit police interrogation and confessions have tilted the balance of justice too far in favor of defendants. While these members state, and rightly so, that these decisions are the law of the land, they go on to make the point that a body such as the Commission should have studied this important area. I agree. This must be marked down as a regrettable lapse in the Commission's generally good performance.

Here is an area for careful study by the proposed National Institute of Criminal Justice.

BAIL SYSTEM

In resolving the question of detention and bail, rights of the accused and of society must again be balanced. As one who was in charge of a bail department of a prosecutor's office for a decade, I believe a reasonable balance has been worked out in the Bail Reform Act of 1966. This bill revises the bail practices to assure that all persons shall not needlessly be detained regardless of their financial status. Thus, the bill will do much to relieve the load on our prison system. The Bail Reform Act applies to detention pending an appearance to answer charges, to testify, or pending appeal, when detention serves neither the ends of justice nor the public interest. As cosponsor of this bill, I consider it a praiseworthy law, and I feel it deserves a fair chance to be tested and to be judged in action.

REHABILITATION

Two recently enacted bills also deserve mention here. The Narcotics Addict Rehabilitation Act of 1966 and the Prisoner Rehabilitation Act of 1965. Both of these bills fit into my thinking that the corrective system should be the starting point for a new chance in life and not the last stop. For this reason, I cosponsored both.

The Narcotics Act authorizes pretrial civil commitment of addicts charged with certain essentially nonviolent Federal offenses. If the addict successfully completes the treatment program, the criminal charge is dismissed. If treatment fails, the addict is returned to court for resumption of the prosecution. Sentencing certain convicted addicts to a treatment program instead of to an ordinary prison term is also permitted. The act also provides for voluntary commitment of the addict upon his own application

as well as the compulsory commitment of the addict upon the application of a third person, in both cases where the addict has not been charged with any criminal offense—that is, in another category. By creating the proper safeguards for the community, it is hoped that this new approach will prove the best means of approach to the narcotics problem.

It is clear that punitive approach to narcotics addiction, which has so long dominated the treatment of these people, is ineffectual and positively harmful to public and patient in some of its effects. Clearly, prosecution and imprisonment are not the answer. This legislation, by incorporating a program of hospitalization, followup treatment, and supervision, embodies a new approach to this field by stressing the medical aspects of the problem rather than the criminal aspects.

The Prisoner Rehabilitation Act is designed to facilitate the rehabilitation of persons convicted of offenses against the United States. Prison officials are permitted to assign convicts nearing the end of their terms to residential community centers, the so-called halfway houses, to make it possible to reintroduce prisoners to the community in a gradual and controlled manner. Moreover, this legislation enables selected inmates to work at gainful occupations or train in the community. The Director of Prisons referred to this work release law as the "most important single piece of legislation to advance correctional practices in the Federal Government since the Bureau of Prisons was created in 1930." He further stated that the enthusiasm of industry, unions, and other community elements is beyond prior expectations.

CONCLUSION

As I stated earlier, the most important factor to remember about crime is the difficulty of classifying it.

I diverge here again to say that I served, by proxy, for the district attorney of Philadelphia, 40 years ago, on the National Crime Commission, which was headed by Franklin D. Roosevelt. Louis Henry Howe was the Executive Director. The actual work of the Commission was carried on by Raymond Moley.

At the opening session of that first National Crime Commission, Mr. Moley said:

I think, in relation to the statement frequently appearing in the press that there exists in the United States a crime wave, the first question we must ask ourselves is, "Is there a crime wave?" and the second is, "What can we do about it?"

That statement is again applicable when I speak of the difficulty of classifying crime, because we still need more information, factually, on crime, on punishment, and on prevention and correction.

The difficulty of classifying crime, then, is as diversified as the conditions which create it, and these cannot be easily listed or categorized. For this reason, I have tried to set out some general considerations that must be borne in mind when attacking this problem, but have not attempted to specifically detail all manners of approach.

I began by saying that society is failing its people by its inability to maintain law and order. The recognition of that fact alone would be an important step toward rectifying the problem. Therefore, I again commend the President's Commission for generating such wide public interest in the problem of crime in America.

There is no one solution to this problem, no quick answer. But there are things that can be done. We need more research and more effective tools to conduct that research into crime, its causes, and its possible solutions. We need to improve the machinery of justice—better trained law enforcement officials, better courts, better judges.

But above all we need more public awareness and greater citizen involvement. If more people will understand that their rights are being abridged and their lives are in jeopardy because of the extent of crime in America, more people will be willing to help. With that help we will be able to close the justice gap that exists today.

THE CONSULAR TREATY

Mr. SCOTT. Mr. President, I expect to have something further to add later on this subject, but I wish to state now that I do favor the proposed Consular Treaty. I favor it for many reasons which I have discussed before and may well discuss again; but, to summarize, I think it should be remembered that this treaty is advanced by the United States; that it was the United States which first indicated its interest in the treaty; that that interest began under President Eisenhower, was advanced by the then Vice President Nixon, and has been supported in the Kennedy administration and the Johnson administration; that its fundamental purpose is the protection of American citizens, to extend to them rights greater than those given by the Soviet Government to its own citizens; and that we have each year 18,000 Americans traveling over there, whose protection concerns us. The Russians have 700 to 900 over here annually.

The addition of 10 or 15 Russians to a consulate here means the addition of 10 or 15 Americans to a consulate there. Their purpose is the same in both countries. I am sure the Russians would have no difficulty keeping an eye on 15 Americans, and I would be ashamed to have to admit that our security services would find it difficult to keep an eye on 15 Russians, because to my mind that would indicate a form of weakness and futility which does not exist in the United States.

So to those who counsel from fear, I would say, "Be not afraid"; to those who counsel from ignorance, "Be enlightened"; to those who counsel from a true concern for the security of the United States, "Be assured."

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. BYRD of West Virginia. Mr.

President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SCOTT in the chair). Without objection, it is so ordered.

THE TAX-SHARING ACT OF 1967

Mr. BAKER. Mr. President, as in legislative session, on behalf of myself and Senators CARLSON, COOPER, COTTON, DOMINICK, FANNIN, GRIFFIN, HANSEN, HRUSKA, JAVITS, MORTON, PEARSON, PERCY, SCOTT, TOWER, and YOUNG of North Dakota, I introduce, for appropriate reference, the Tax-Sharing Act of 1967, a measure designed to permit an immediate beginning of sharing Federal revenues with the States on a no-strings-attached basis.

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

The bill (S. 1236) to provide for the sharing with the State and local governments of a portion of the tax revenues received by the United States, introduced by Mr. BAKER (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

Mr. BAKER. Mr. President, I believe that the most urgent domestic problem confronting this Republic today is the threat to the traditional system of federalism which has produced the maximum good for the maximum number with maximum responsiveness in Government over the entire history of this Nation. The federal system as we know it consists of an effective partnership of governing authority between the Central Government on the one hand and the State and local units on the other. The net effect has been a unique recognition and implementation of the problem solving tools and techniques required by the many diverse areas, groups, and interests within our population. I believe that the future welfare of this country to a high degree interrelates with our ability to preserve in its most effective form this system of partnership government.

In the course of the last several years, we have witnessed the increasing concentration of effective governing authority in the Central Government and a decreasing ability of the States, the counties, and the city governments throughout the Nation to cope successfully with the seemingly limitless problems which confront them. The shape and dimensions of this dilemma are not outlined by some vague, sinister plot to destroy the partnership of governing authority, in my judgment. Rather, the dilemma has resulted in response to the time-honored axiom that the taxing power is the governing power, and the Central Government, since the advent of the graduated Federal income tax, has had most of the taxing power. An increasingly mobile population, a complex economy, and an informed and sensitive public have combined to create demands on government at every level that are manifold and compelling. As the matrix of local governmental units are unable to fulfill the legitimate demands and aspirations of their constituencies because of an inad-

equated tax base and ineffective fiscal tools, vacuums of service and responsibility are filled by the Central Government. This has been the direction of the movement of responsibility in the Federal partnership over the past four decades.

The burden of these remarks is not an appeal to some academic concept of States rights, sovereignty, or independence, nor calculated to be in derogation of the absolute requirement for a vital, strong, effective, and imaginative central government, but rather is a plea for the reinvigoration and revitalization of the authority of the State and local governments so that they may undertake and discharge their governing responsibilities at the same time.

There is no easy answer to this problem. In my view there is no single device which will reverse the trend toward absolute concentration of governmental authority in Washington. But there is a concomitant requirement that we make the effort to shift the direction, and at least begin the return to partnership stability. Federal revenue sharing, I believe to be the best device for beginning this new direction. The bill which I introduce provides initially for the return of 1 percent of the net Federal revenues, after first deducting the cost of debt service and national defense, to the States for their own purposes and for redistribution to the cities and counties. There are no strings attached. There are no Federal directives regarding the nature of the expenditures. There is no provision for matching funds or other conditions precedent to this revenue entitlement. One of the principal justifications for general no-strings-attached Federal revenue sharing is that the fiscal requirements of one State or one locality may be entirely at variance with those of another, and while one area may direct its revenues to education, another may require them for antistream pollution, water or sewage plants, or other equally valid public purposes. The determination of how available fiscal resources are to be dedicated within a given State, county, or city is in most instances best made and most responsively determined at some level other than the central level. The economies of administration and execution of the various governmental plans thus financed are demonstrable.

The bill provides for a trust fund financed in two ways. Not only will tax-sharing funds be generated annually by the percentum formula just described, but Congress may also in its discretion make additional appropriations to the fund from time to time. I recognize that no rigid mathematical formula for State and local participation in Federal revenue collections can truly reflect the financial needs and be consistent with fiscal policies of every given moment in the continuing process of government. Therefore, the concept for the two-part plan provides for a reasonably certain flow of Federal tax-sharing revenues by mathematical percentage computation upon which the State and local units of government may depend from time to time, but without depriving the Central Government of the essential fiscal flexibility which it must retain in order to

discharge its function as the modifier of the national economy in its efforts to combat the cyclical nature of the economy, and without depriving the Congress of the ability to respond immediately in this field in the event there is a sudden and drastic reduction in the requirements for national defense.

The bill provides for a council on tax sharing to be composed of five Governors, two mayors, and five representatives of the public at large, who will be charged with the administration of the program. Although the Council on Tax Sharing is charged with the implementation of the provisions of this act, it is without authority to interfere, direct, coerce, or otherwise modify the rights of the States to apply their own best judgments to the solving of their own special problems. The cost of administering the program is virtually nil and the return of Federal revenues will be almost 100 percent.

I recognize the enormous financial demands that our effort in Vietnam causes. I recognize the apparent inevitability of budgetary deficits this year and probably thereafter. I recognize the persistence of the cruel taxation of inflation which is the probable corollary of these frustrations, but I also believe that the threat to the traditional balance of governing authority is so great and the plight of our cities, counties, and States is so grave that we must not postpone the new direction and the new approach to governmental technique which is implied in the adoption of the principle of Federal revenue sharing. The cost of the program, based on 1966 Federal revenues, would have been approximately \$518 million. Even in a time of near fiscal crisis, I believe this Nation can ill afford to fail to pay this price to ward off the threat of the destruction of effective local self-government.

The bill provides for a three-part formula to determine each State's share of available monies from the trust fund. The three elements are: First, population—to express an approximation of the theoretical total need of a given State; second, the average per capita income, a factor which expresses the need of poorer States for a larger ratable share of the funds; and third, the initiative of the State expressed in terms of a ratio of the per capita taxing effort of a given State in relation to the average taxing effort of all other States, to prevent a State from asserting less than its best effort to provide revenues for its own requirements; this would avoid the possibility that the States would in fact become chattel wards of the Central Government. The net result of the application of this three-part formula to available revenues would provide some premium to the States having greater fiscal need and some slight premium to those States exercising their best efforts to provide for their own requirements. Correspondingly, the formula penalizes those States which do not make conscientious efforts to generate their own tax revenues.

I recognize and commend the proposition that Federal revenue sharing is a bold new direction in the total governmental concept of this Republic. But I

feel the urgency of the threat requires the substantial nature of the proposal. Nevertheless, tax sharing does not imply the emasculation of efficient national authority and the destruction of independent national effort. It does not imply the abolition of the existing concepts of the various Federal grant-in-aid and matching fund and other type Federal programs, but rather is calculated to supply a new and different tool to meet the exigencies of the present moment and the challenges of the future. Increasingly, in the years to come the effect of Federal revenue sharing and the attendant revitalization of local governmental effort will relieve the demands on the National Treasury for domestic and administrative intervention. At the same time there will always continue to be matters of national importance which require the direct action and coordination of the Central Government to carry out these national purposes. Hence, I view tax sharing as simply another part of the total governing process, working in tandem and in parallel with existing governmental concepts together to produce more economical, more responsive, and more effective government.

Mr. President, I ask unanimous consent that the text of the bill and the accompanying tabular display of State participation, with footnotes, and accompanying formulas be printed at the conclusion of these remarks.

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

S. 1236

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Tax Sharing Act of 1967".

DEFINITIONS

SEC. 2. For purposes of this Act—

- (1) the term "Council" means the Council on Tax Sharing established by section 7;
- (2) the term "Secretary" means the Secretary of the Treasury;
- (3) the term "State" means the several States and the District of Columbia; and
- (4) the term "trust fund" means the tax sharing trust fund established by section 3.

TAX SHARING TRUST FUND

SEC. 3. (a) There is hereby established in the Treasury of the United States a trust fund to be known as the "tax sharing trust fund". The trust fund shall consist of the amounts appropriated to it by subsection (b) and the amounts appropriated to it under subsection (c).

(b) There is hereby appropriated to the trust fund, out of any money in the Treasury not otherwise appropriated, for the fiscal year beginning July 1, 1967, and for each fiscal year thereafter, an amount, as determined by the Secretary under subsection (d), equal to 1 percent of the amount by which the net Federal tax revenues received in the Treasury during such fiscal year exceed the amounts disbursed from the Treasury during such fiscal year pursuant to appropriations for—

- (1) interest on, and servicing of, the public debt, and
- (2) the national defense.

(c) In addition to the amounts appropriated by subsection (b), there are authorized to be appropriated to the trust fund for each fiscal year such amounts as may be desirable to carry out the purposes of this Act.

(d) The Secretary shall during each fiscal year determine the amount described in subsection (b), and transfer the amount so determined from the general fund of the Treasury to the trust fund. Such transfer may be made on the basis of estimates made by the Secretary. Proper adjustment shall be made as soon as possible after the close of each fiscal year, to the extent the amount transferred was in excess of or less than the amount which should have been transferred, by the transfer of additional amounts from the general fund to the trust fund or by the transfer of amounts from the trust fund to the general fund.

(e) For purposes of subsection (b), the term "net Federal tax revenues" means with respect to any fiscal year—

(1) the total amount of the taxes imposed by the Internal Revenue Code of 1954 received in the Treasury during the fiscal year, minus

(2) the total amount of refunds of overpayments of the taxes imposed by such Code disbursed from the Treasury during the fiscal year.

(f) Determinations by the Secretary under this section shall be final and conclusive.

METHOD OF PAYMENTS TO STATES

SEC. 4. (a) Each State shall be entitled to payments out of the trust fund during the fiscal year beginning July 1, 1968, and during each fiscal year thereafter, as provided in this section.

(b) The total amount of payments to each State during each fiscal year shall be the amount determined under section 5. Payments shall be made by the Secretary not less than quarterly. Payments to any State made during the first and second quarters of any fiscal year may, to the extent necessary, be made on the basis of estimates by the Secretary in determining the amounts under section 5. Proper adjustment shall be made in the payments to any State during the third and fourth quarters of any fiscal year to the extent that payments in the first and second quarters were in excess of or less than the amounts which should have been paid.

AMOUNT OF PAYMENTS TO STATES

SEC. 5. (a) The total amount of payments to each State for each fiscal year is an amount (computed by the Secretary) equal to the product obtained by multiplying—

(1) the total amount appropriated to the trust fund for the preceding fiscal year, by

(2) the product obtained by multiplying the distribution percentage of such State for the fiscal year by the revenue effort percentage of such State for the fiscal year.

(b) (1) For purposes of subsection (a), the distribution percentage of any State for any fiscal year is the arithmetical average of its per capita need percentage and its population percentage for such fiscal year.

(2) For purposes of paragraph (1), a State's per capita need percentage for any fiscal year is the percentage which such State's per capita need factor for such fiscal year is of the sum of the per capita factors of all the States for such fiscal year. A State's per capita need factor for any fiscal year is the product obtained by multiplying the population of such State by a fraction the numerator of which is the per capita annual income of individuals residing in all the States and the denominator of which is the per capita annual income of individuals residing in such State.

(3) For purposes of paragraph (1), a State's population percentage for any fiscal year is the percentage which the population of such State is of the total of the population of all the States.

(4) For purposes of paragraphs (2) and (3), the population of each State and the per capita annual income of individuals residing in each State shall be determined on the basis of the latest statistics and information available in the various departments

and agencies of the Government, except that the same period shall be used in determining the population of all the States and the same period shall be used in determining the per capita income of individuals residing in all the States.

(c) For purposes of subsection (a), the revenue effort percentage of any State for any fiscal year is the percentage which the revenue effort factor of such State for such fiscal year is of the average revenue effort factors of all the States for such fiscal year. A State's revenue effort factor for any fiscal year is the result obtained by dividing—

(1) the total of the revenues derived by such State from its own resources (including revenues derived by the political subdivisions of such State) during the calendar year ending within such fiscal year, by

(2) the total adjusted gross income of individuals residing in such State during such calendar year as reported on returns of the tax imposed on individuals by chapter 1 of the Internal Revenue Code of 1954. If the information for a calendar year for any State is not available, the Secretary may make the computation under the preceding sentence with respect to such State on the basis of information for the latest calendar year for which such information is available.

STATE UNDERTAKINGS

Sec. 6. (a) To be eligible to receive payments under this Act, a State shall undertake—

(1) to assume the same responsibility for fiscal control of and accountability for payments received under this Act as it has with respect to revenues derived from its own resources,

(2) to furnish such information and data to the Secretary as the Council may prescribe by regulations, and

(3) to submit the reports to the Council required by subsection (b).

(b)(1) Each State shall, on or before such date prior to the beginning of each fiscal year as the Council may prescribe, report to the Council its plans for the use of the funds which it will receive under this Act during such fiscal year. Such report shall include the anticipated distribution, if any, of such funds by such State to its political subdivisions for their own use.

(2) Each State shall, on or before such date after the close of each fiscal year as the Council may prescribe, report to the Council on the expenditures of the funds received by it under this Act during such fiscal year. Such report shall include the amounts, if any, distributed by the State to its political subdivisions for their own use and the expenditures by such political subdivisions of the funds so distributed to them.

(3) The reports required under paragraphs (1) and (2) shall be submitted by the Governor of each State, or by such State officer as he may designate. Such reports shall be in such form and in such detail as the Council may prescribe. Neither the Council or any other Federal agency or Federal officer shall have power to approve or disapprove the plans of any State, or the expenditures of any State, as set forth in such reports.

COUNCIL ON TAX SHARING

Sec. 7. (a) There is hereby established as an independent agency of the Government a Council on Tax Sharing. The Council shall be composed of twelve members as follows:

(1) Five members appointed by the President from persons who are Governors of a State, not more than three of whom shall belong to the same political party;

(2) Two members appointed by the President from persons who are mayors of a city and who do not belong to the same political party; and

(3) Five members appointed by the President by and with the advice and consent of the Senate from persons who do not hold any Federal, State, or local government office, not more than three of whom shall belong to the same political party.

(b) Members of the Council who are appointed from private life shall receive compensation at the rate of \$100 a day for each day they are engaged in the performance of duties as members of the Council. Members of the Council who are Governors or mayors shall serve without compensation. All members of the Council shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of duties as members of the Council.

(c) The Council shall, from time to time, select one of its members to serve as chairman and one to serve as vice chairman.

(d) Seven members of the Council shall constitute a quorum.

(e) It shall be the duty and function of the Council—

(1) to oversee the operation and administration of this Act,

(2) to prescribe by regulations the information and data to be furnished by the States to the Secretary under section 6(a)

(2) and the manner and form in which such information and data shall be furnished, and to prescribe by regulations the form and detail of the reports required by section 6(b),

(3) to prescribe such regulations as it deems necessary with respect to the manner in which computations under section 5 of this Act shall be made by the Secretary, and

(4) to make determinations under section 8 of this Act with respect to withholding of payments from any State.

In carrying out its duties under paragraphs (2) and (3), the Council shall endeavor to reduce to a minimum the administrative burden on the States, consistent with the needs of the Secretary and the Council for information and data to carry out their duties under this Act and of the Congress to carry out periodic reviews of this Act, and shall endeavor to keep the reports and forms required under this Act at an absolute minimum and in as simplified a form as is practicable.

(f) The Council is authorized to afford to the States such technical advice and assistance as may be necessary to assist them to receive payments made available to them under this Act and such information and assistance as they may request to assist them in the utilization of such payments.

(g) The chief administrative officer of the Council shall be an executive director who shall be appointed by the President and shall receive compensation at the rate prescribed by section 5315 of title 5, United States Code, for positions at level V of the executive schedule. The executive director shall perform such functions and duties as the Council may prescribe.

(h) The Council is authorized to appoint and fix the compensation of such employees as are necessary to enable it to carry out its duties under this Act. The Council is authorized to procure temporary or intermittent services under section 3109 of title 5, United States Code.

WITHHOLDING OF PAYMENTS; JUDICIAL REVIEW

Sec. 8. (a) Whenever the Council finds, after reasonable notice and opportunity for hearing to the Governor of a State, that there is a failure by such State to comply substantially with any undertaking required by section 6, the Council shall notify such Governor that further payments under this Act will be withheld until it is satisfied that there will no longer be any failure to comply. Until the Council informs him that it is so satisfied, the Secretary shall make no further payments to such State under this Act.

(b) Any State which receives notice under

subsection (a) that payments to it will be withheld may, within 60 days after receiving such notice, file with the United States Court of Appeals for the Circuit in which such State is located a petition for review of the Council's action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Council. The Council thereupon shall file in the court the record of the proceedings on which it based its action as provided in section 2112 of title 28, United States Code.

(c) The findings of fact by the Council, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Council to take further evidence, and the Council may thereupon make new or modified findings of fact and may modify its previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(d) The court shall have jurisdiction to affirm the action of the Council or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

REPORTS TO THE CONGRESS AND THE PRESIDENT

Sec. 9. The Council shall, on or before February 1, 1969, and on or before February 1 of each year thereafter, report to the Congress and to the President on the performance by it of its functions and duties under the Act during the preceding fiscal year. Such report shall include a summary of the reports received under section 6(b)(2) from the States on their use of the funds received by them during such fiscal year and a summary of the reports received under section 6(b)(1) from the States of their plans for the use of the funds to be received by them during the current fiscal year. Each such report shall also include any recommendations for changes in the amounts appropriated to the trust fund which the Council deems advisable.

THE LIBRARY OF CONGRESS, LEGISLATIVE REFERENCE SERVICE,

Washington, D.C., January 31, 1967.

The following amount was determined to be available for distribution to the fifty States and the District of Columbia under provisions of Sen. Baker's Federal tax-sharing bill:

Total Federal tax collections, fiscal year 1966	\$128,879,961,000
Less refunds	7,314,599,000
Net Federal tax collections	121,565,362,000
Less the following Federal expenditures made during the fiscal year 1966:	
National defense (includes Department of Defense, military functions, foreign military assistance, atomic energy program, and defense-related activities)	57,718,000,000
Interest on the public debt	12,014,000,000
Net amount	51,833,362,000

These data were derived from the Annual Report of the Commissioner of Internal Revenue for the fiscal year 1966 and the latest Federal budget document just submitted for the fiscal year 1968.

One percent applied to the \$51,833,362,000 would make \$518.3 million available for distribution to the States under Baker's Federal tax-sharing plan.

program to fit the Nation's present and future needs.

I represent a State that will contribute far more proportionately in income taxes than it will be taking back under the proposed tax sharing, but I also commend the Senator for recognizing the differing capabilities of our States to bear their share of the cost and their varying needs.

I believe that the people of Illinois will gladly accept such a tax-sharing plan. They will recognize that areas such as education present national problems since many Illinois residents have come from poorer States, which could not afford the educational system that will give all children the opportunity we all want them to have, I believe they will see the need to assist these States in education and other similarly important areas.

Mr. President, we should stress that. The \$20 million that the people of Illinois would derive if this plan were in effect at this time would also place upon our State legislature and our State executive branch a great responsibility. For State government must remain responsive to the needs of the people by taking the present taxing authority of the Federal Government and making certain that a full \$20 million worth of accomplishment is achieved through the decentralization of the spending of this money made possible by the plan.

The centralized authority of the Federal Government for collecting revenue is one of its most efficient functions. In fact, the Internal Revenue Service is one of the most efficient branches of any government in the world today—I am afraid we can all testify to that.

But the Federal Government is not renowned for its efficiency in spending money; nor do our States present themselves as models of efficiency. If the States are to assume this additional responsibility from the Federal Government, it is up to the States to demonstrate that they are equal to the challenge. I, for one, am confident they can and will do this.

I would be most happy to work with our State legislature and the executive branch in Illinois to make certain that if this plan were to become law, it would provide a more efficient way of channeling tax revenue. We must see that the Federal system works and works properly. We can only do that when we have a strong local, State, and Federal government. This plan is gratifying to me because it strengthens the constructive partnership between State and Federal Government, and again, I want to congratulate the Senator from Tennessee for this valuable piece of legislation.

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

Mr. BAKER. I yield.

Mr. PASTORE. I wish to direct this question to the Senator from Tennessee and the Senator from Illinois. Do not the Senators feel that if we are going to get into a tax-sharing program we should give some thought to an equalizing of the burden with respect to the unemployment compensation tax?

There are many States that have a multifactor economy. For instance, one factor could be agriculture. The Congress supports agriculture. I realize that ultimately the burden falls upon the con-

sumer but the fact remains that in those States that have a diversified economy, such as agriculture along with manufacturing, and other services, usually the Federal Government makes certain that in order to sustain our agricultural output we do support prices. Yet, we find in this Nation, and it is one Nation, we have many States that have a very low unemployment compensation tax, which is a tax upon the gross receipts of a manufacturing establishment. This is without regard to whether or not that establishment makes a profit. We find in some States the possible ceiling on that tax is reached, while in other States it is low. This leads to rivalry and sometimes to piracy with respect to industry, because industry is induced to go into a State where the unemployment tax is 1 percent of the gross income as against another State, such as Rhode Island, for instance, which is usually near the top because we are a manufacturing State and have very little agriculture. Therefore, we get little price support from the Federal Government.

Does not the Senator think that in this entire complex of equalizing and protecting the economy, we should give some thought to making the unemployment compensation tax uniform?

Mr. BAKER. If I may answer, I agree with one particular point which the Senator from Rhode Island mentioned. This is, in fact, one nation. It is a requirement that this Nation and all of its States and localities be concerned for the general welfare, and the general welfare of opportunity for every other sector.

At the same time, it is obvious and I believe traditional and highly desirable, that there are variations from area to area and from State to State that must be taken into account in developing an effective State, community, and city government partnership. It is my hope that tax sharing will militate toward the accomplishment of this objective.

Specifically on the question of equalizing the unemployment compensation benefits, I believe, without avoiding the question, that there is much to be said for an effort to render them more nearly uniform. However, I think I would resist absolute uniformity of unemployment compensation benefits by Federal legislation without taking into account the diverse economies of the States.

Mr. PASTORE. I understand unemployment compensation benefits. I am familiar with them. But I am talking about the imposition of the tax.

If we are going to inaugurate a new concept of tax sharing—that is, if we in the Congress assume the responsibility of raising the money while we let the various States enjoy the privilege of unrestrained spending of the money—I think that we are getting into a concept which has been foreign to us up to this point.

I realize that much money goes back to the States by way of grants, but we are talking here in the complex of the U.S. Congress about imposing a tax upon the taxpayers of America, then taking that money and sending it back for the Governors and the legislatures of the States to spend as they will, and as they see fit to do.

I understand this talk about decen-

tralization, but I always thought that the privilege of spending tax money should carry with it the responsibility of raising it, if we want to avoid waste and corruption. It is usually said on the floor of the Senate that it is an easy game to appropriate money and a hard game to impose a new tax. That is fundamental.

The one salutary restraint on spending money is the responsibility to account to the people for raising it. I am not saying that we should not do more for the States. I am all for that. I realize, too, that the Federal Government has preempted many avenues and channels of taxation, and perhaps that should be reviewed, too.

Personally, I would rather see the Federal Government get out of the business of imposing certain taxes. I would suggest leaving more of that to the States, rather than Congress raising the money.

As I understand it, expenditures for the fiscal year 1968 will be \$135 billion, and the receipts will be \$126.9 billion, which includes an imposition of a 6-percent surtax to bring in \$5.5 billion.

Therefore, this year we will have a deficit of \$8.1 billion. If we do not impose the surtax, it will be \$5.5 billion more than that, which will give us a figure of \$13.6 billion. Our debt at the present time is \$329.9 billion. Our ceiling up to a short time ago was \$330 billion, and we raised it by another \$6 billion.

If we are going to get into new allotments of giving back new money to the States, there is no question that we either have to raise taxes or raise the deficit, and, thereby raise the ceiling. These are the courses that are open.

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

Mr. PASTORE. I yield.

Mr. HRUSKA. There is a third alternative: reduce expenditures.

Mr. PASTORE. Reduce expenditures.

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

Mr. PASTORE. Mr. President, I ask unanimous consent that we may proceed for 5 additional minutes.

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

Mr. PASTORE. The Senator from Nebraska may be correct. We could cut expenditures—or could we? Where does the money go?

In direct answer to the question raised by the Senator from Nebraska, that we are going to spend \$135 billion. Of that sum \$75.5 billion is for defense, which leaves \$59.9 billion that can be played around with. Of the \$59.9 billion, I am made to understand that a large part of that is for fixed charges, such as interest on the debt, veterans, and so forth, which leaves us \$30.1 billion.

In that area of \$30.1 billion I understand that \$15 billion is already obligated, which already leave us only \$14.1 billion. Therefore, if we begin to fool around with \$14.1 billion and cut it all out that is the greatest amount by which the budget could be reduced. Of course, Congress is not going to cut it all out because there would be an irresistible clamor on the floor of the Senate. If we were to try and try, the

best we could do would be to cut that amount in half or a little lower than one-half, whereupon we can talk about whether or not we are going to impose a surtax.

Mr. AIKEN. The clamor would originate back home, not on the floor of the Senate. The floor of the Senate would then explode with another clamor.

Mr. PASTORE. The Senator remembers the old adage—

Mr. AIKEN. I know.

Mr. PASTORE. That one has to be elected in order to be a statesman.

Mr. AIKEN. Right.

Mr. PASTORE. There are a lot of politicians, even in the Senate, and they are going to listen to this clamor.

Mr. HRUSKA. Mr. President, I commend the junior Senator from Tennessee [Mr. BAKER] on the occasion of his maiden speech today. I would observe that he has not tackled one of the easiest problems facing Congress, not alone at this time, but also later in the session, because interest in the issue will gain momentum as time goes on.

I have listened with interest to the sound observations of the Senator from Rhode Island. He is one of the keener analysts of the fiscal picture. I accord to him my greatest respect.

Is, I ask the junior Senator from Tennessee, if it is not true, however, that with regard to this business of the States refusing to engage in the taxing process on their own and then asking for a hand-out from the Federal Government that this bill contains a partially guarding provision in the factor of distribution; namely, that it is expressed in terms of a ratio of the per capita tax, and the efforts of a given State in relation to the average taxing efforts of all other States. Would that not be a governing factor in this redistribution in the face of unduly low State taxing?

Mr. BAKER. There is a tendency on the part of some States to abandon or refuse to exercise their own efforts to raise their own tax revenue. There is one additional corollary that bears upon this same issue, in my judgment, and that is the proposition that the best government is active government. The States themselves have not been so active, I am sorry to say, in as many fields as I think they might, if they had a tax base and the resources to undertake these projects over a period of time. I really believe that the exercise of the use of effective local governmental power at the State or lesser levels will produce a more effective series of local governments, and further reduce the Central Government's burden.

I would like to reply to the comment of the Senator from Rhode Island that he favors the de-involvement of the Federal effort from certain tax efforts so that the States may themselves move into those fields. I respect that point of view. It is one of the approaches which has been considered both by me and by others in this field. However, I would also express my own preference for Federal revenue sharing instead of Federal de-involvement or Federal tax credits, on the theory that in a Federal union there is some responsibility implied in the very structure of Govern-

ment for the union itself to be concerned with the welfare and equality of opportunity of the various States within it.

In a tax credit system, or in a de-involvement concept, there is no element of equalization of opportunity throughout the union.

Let me add this point, that the available taxing devices of the States, counties, and cities, are either the regressive kind of taxes such as the sales tax, the ad valorem property tax and the like, or the State income tax.

I think we would almost all agree that regressive, ad valorem type taxes are less equitable in their application than is a graduated income tax.

By the same token, a series of 50 State income taxes, each at variance with the other, each applied and administered not uniformly would, I think, greatly deter the freedom and mobility of civilization within this country, and the freedom of movement, employment opportunity, and industrialization.

I favor the concept that one of the future, legitimate functions of the federal system will be to raise internal revenue and to redistribute it equitably to the various States and local units of government, so that we can revitalize them.

Mr. PASTORE. Mr. President—

The PRESIDING OFFICER. The Chair advises the Senator from Rhode Island that his time has expired.

Mr. PASTORE. Mr. President, I ask unanimous consent to proceed for 4 additional minutes.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized for 4 additional minutes.

Mr. PASTORE. I want to say to my distinguished colleague from Tennessee that I congratulate him on his maiden speech.

I am very happy to see that he has touched upon a problem which is of very grave importance. Whether I agree with him or not, I want him to understand that I was not challenging him at this moment. Senators never do that when a Senator is making his maiden address on the floor of the Senate.

I congratulate the Senator from Tennessee for his presentation and say to him, incidentally, but sincerely that he is one man in the Senate that I can look straight in the eyes.

Mr. BAKER. I thank the Senator from Rhode Island.

Mr. HRUSKA. Let me observe that it was with great pleasure I joined as a cosponsor on this measure. Regardless of what its final form will be, or its ultimate wisdom, I believe that it is a good vehicle for inquiry of an intelligent nature into this question.

I am sure that as we proceed on the testimony and further discussion of the issue, the elements which have been incorporated into the bill will be useful to further that inquiry.

Again I congratulate the Senator from Tennessee on a very fine speech.

Mr. BAKER. Mr. President, I thank the Senator from Nebraska for his kind remarks.

Mr. MUNDT. Mr. President, I should like to associate myself with those Senators who have already congratulated

the Senator from Tennessee on his maiden speech, especially on the fact that he is dealing with one of the really difficult problems of our time. I believe that he has made some highly constructive suggestions. All of us must face the fact that something needs to be done to help reestablish the strength and the viability of our local governments and our States. They are all confronted with tremendous problems.

The concept of tax sharing is one which I have long embraced. I believe that the Senator from Tennessee has cranked into his legislation some highly constructive, useful, and practical proposals.

I encourage him to press forward, full steam ahead.

Mr. BAKER. I thank the Senator from South Dakota.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of this colloquy, the remarks prepared by the Senator from Wyoming [Mr. HANSEN], who is unavoidably absent today.

STATEMENT OF SENATOR HANSEN ON INTRODUCTION OF TAX-SHARING BILL BY SENATOR HOWARD H. BAKER, JR.

I want to thank Senator Baker for allowing me this opportunity to have a statement inserted in the record in the context of initial comment on his tax sharing bill. I want to heartily congratulate him for the excellent measure which he has brought forward today. I have worked with him on numerous occasions on matters pertaining to this bill and I feel that he has handled it extremely well. Certainly this bill will merit the very careful consideration of the Congress.

One of the most significant features of this bill is its financial feasibility in view of the current international situation and the continuance of certain existing Grant-in-Aid programs.

Speaking as a cosponsor, I assert that we are not asking for federal money for our states and cities. This bill envisions a return to state and local governments of monies which ought to have been theirs in the first place, so that they will have the vital lubricant for the mechanism of local government.

Perhaps at no other time in our nation's history have we faced more demanding problems at the state and local level. Perhaps at no other time have the problems been so vast, so complicated, so comprehensive. Today our nation's larger cities are burdened by problems of urban renewal, water pollution control, air pollution control, education, crime control, transportation, and a host of other equally challenging, equally demanding problems. And as the need for solutions increases, as the demand for funds to solve these problems continues to grow, the sources of revenue for the cities slowly dry up. Their powers of taxation are stymied and hindered by the very nature of their existence.

Heavy industry has increasingly moved out of the city and thus out from under its taxing powers. The middle and upper class populace on which our taxing system depends so heavily no longer lives in the city; the suburbs is their home—but the city still their place of work.

Sales taxes are, beyond a point, highly inequitable due to the nature of the cities' residents, and employment taxing proves to be highly unpopular or at least economically unwise.

And so our nation's mayors, from Chicago and Detroit, from New York and Los Angeles, come to Washington to seek assistance—assistance with problems which, due to the

drying up of revenue sources, have gone beyond their cities' financial abilities. The price tag they have placed on revitalization of our urban centers alone stands at over 200 billion dollars.

But the challenge has not been thrown to the cities alone. It lies also at the doorstep of our state houses. Today the needs of education are fantastic; welfare, the highways, natural resources all demand a heavy expenditure of funds—funds which increasingly the state does not have. The mere existence of a grant-in-aid program indicates the demand for assistance which reaches from our Nation's capitols.

A look at the figures reveals the situation all too graphically. From 1966 to 1965, state and local expenditures increased by more than 100 per cent from \$36.7 billion to \$75 billion, while the disbursements of the federal government increased by only 60 per cent from \$68.8 billion to \$110 billion. State and local debt burdens in the same period shot up over 100 per cent from \$48.9 billion to \$99.5 billion, as the federal debt increased by a relatively slight 17 per cent from \$272.8 billion to \$317.9 billion.

Dr. Joseph Peckman, former head of the President's Council of Economic Advisors, in his recent book "Financing State and Local Governments" estimated that by 1970 expenditures at the state and local levels will exceed general revenues (including federal grants) by \$15 billion.

The problem, we quickly recognize; the necessity for a solution, we readily admit. But the manner of that solution stands unsolved. The grant-in-aid programs are considered a very plausible step toward alleviating the existing problems and have thus increased from \$5.1 billion in 1958 to \$15.4 billion in 1967—an increase of nearly one billion dollars a year! But yet the original design of such legislation, the concept of pointing out a state or local problem by federal financial assistance and then allowing the state or local area to take over the problem using their own creative concepts of government, has not taken place.

But the effect of grants-in-aid is much more than neutral. The programs and the manner in which they have been administered have had certain decidedly negative effects.

These programs, issuing from the federal government in Washington, have been in a great many instances, ignorant of the states' judgment of their own particular priorities.

Grants are being made and carried out by a variety of public, private, quasi-public, quasi-private bodies, resulting in the fragmentation of local government and almost complete lack of coordination at the point of impact.

This, of course, has been due to the lack of understanding at the federal level of the political and fiscal realities of local government. Because of the vastness of our governmental system, it is physically impossible and administratively unwise to expect the Bureaucracy to know the particular problems of each of our country's 91,186 governmental units. Even with the grant-in-aid programs at their present level, the burden of administrative red tape is overpowering.

State and local officials are often blinded in their desire by the abundance of red tape and the stringent federal coalitions imposed for qualification of these programs. While at the same time, federal officials struggle under the onerous details now required in the administration of existing grant-in-aid assistance.

Unfortunately, many of the states have taken a rather extravagant attitude with these federal grants because of their very nature. The people have seen them not as grants, or stimulating funds, but rather as "free money" to be used without regard to fiscal economy.

Congressman Goodell put the problem in excellent perspective when he spoke before

the U.S. House of Representatives on January 30, 1967:

"State and local government are now buried under a mass of over 400 federal aid appropriations for 170 separate aid programs, administered by a total of 21 federal departments and agencies, 150 Washington bureaus and 400 regional offices, each with its own way of passing out federal tax dollars. Even those who previously proclaimed that proliferation of federal grant-in-aid programs would solve our nation's problems are now raising anguished cries of protest at the resulting administrative chaos."

The attempts at administration of these programs have caused an increase in the bureaucratic machinery, thus stacking additional weight on the federal side of the governmental scale. And as these funds become increasingly centered in Washington, the state loses out. Its cities, recognizing the real source of strength, bypass the state houses and come straight to Washington to establish their own independent lobbying forces.

With this particular drawing of the lines of government goes the federal system—the American system—of a federal, state and local level of government, each doing its own specific and traditionally assigned duties for the people of its domain. To increase the power and jurisdiction of one is to naturally decrease the power and viability of the other.

The federal government cannot do all that must be done, but if we continue to weaken the system by allowing the states to be bypassed, then certainly there will be nothing left but the federal government. State lines and county boundaries would, for all practical purposes, disappear.

The Subcommittee on Intergovernmental Relations states the problem well: "The federal, state and local governments are interrelated parts of a single governmental system; each level, however, must effectively discharge its mandated responsibility if all of its rights as a member of this partnership are to be preserved." By acquiescing in the weakening of the state governments we are all aiding in the downfall of our traditional federal system. It is our responsibility to see that the state governments remain strong so they can continue to do what we, at the federal level, cannot and should not attempt to do. I believe most strongly that the best manner of achieving this end is by means of a tax sharing program.

The inability of state revenues to keep pace with advancing expenditures is due to a great extent to the saturation point which has been reached by the states' taxing policies. The basically regressive sales and property taxes utilized by a vast majority of the states cannot yield the revenues necessary. They no longer offer an adequate source of revenue, because they are not growth elastic—they simply cannot keep up with the increasing GNP. But yet the most lucrative area—that of the income tax—has already been taken by the federal government. Attempts by a state to institute an income tax over and above the federal tax have often been met with political opposition.

But it is more than politically inadvisable; the pure economics of the threat of business to leave a state due to a proposed income tax is also highly relevant. A tax sharing program would eliminate these objections to income taxes on a state level.

Some would accuse our state governments of an intrinsic inability to deal with their problems effectively. Some would say that the states ignore the needs of their citizens and spend state funds unwisely. How true is such an accusation? We need turn to no greater authority than the people of these states for our answer. In their view, which government serves them the best, which government spends their tax dollars most wisely? According to a recent Gallup Poll, 18 per cent of the people answered the federal government, while an astounding 49

per cent say *their own state governments are the wiser spenders of their tax dollars.* And the facts uphold their convictions. It can be easily demonstrated that a large proportion of state expenditures have been in the areas of education, health and welfare. The people's needs have definitely not been ignored.

To the argument that a funneling of funds through the state house will be at the expense of the urban areas of the state, we can only reiterate Congressman Goodell's statement before the House of Representatives, that "the twin facts that states devote over one-third of their own revenues to state aid for localities and provide 30 per cent of total local revenues certainly indicate that cooperative federalism is a working reality at the state-local level."

This, plus the application of the Supreme Court's "one man, one vote" rulings shows, I believe, that no locality will suffer at the hands of their state legislature.

Given due representation, and the already compassionate attitude of the state houses toward the cities and their problems, there will undoubtedly be a highly equitable distribution of these funds, especially if they are allocated on a population and per capita income basis as has been often proposed.

Not only would the channeling of tax funds through the state add to its political ability to function, but the process would also be more highly efficient because of the increased responsiveness to local needs.

To quote the Subcommittee on Intergovernmental Relations again, "administrative and financial practices and procedures must be geared to the needs of the individual program and not to any abstract standardized principles."

The people and their representatives in each state understand the problems and the needs of their state to a much greater extent than does the distant federal government. It is logical that those closest to a problem tend to be the most familiar with its intricacies.

It would allow the local level to experiment and to test, possibly finding a solution heretofore never considered.

The value of our 50 states is the value of 50 different roads to the same end—allowing us more quickly to find the optimum solution. Not only that, but the means utilized by the local units would be those particularly suited to specific areas.

Since this program's allotments would be made on the basis of the fiscal effort of no state, we will be assured that states continue to improve their taxing programs. And obviously, the per capita distribution originally advised by Dr. Peckman and now included in Senator Baker's bill, will assure that a rich state will not receive relatively more than a poor state.

Mr. President, I am pleased and proud to be identified as a co-sponsor of the bill discussed this day by my good friend and fellow freshman Republican, Howard Baker. I commend the Senator on the depth and scope of his research, the eloquence of his language and the soundness of his logic. I sincerely hope that this measure, which could be the rebirth of a new dimension of responsibility and promise for state and municipal governments, can be passed by the Senate and the House with the greatest dispatch.

Mr. JAVITS. Mr. President, I take this opportunity to congratulate Senator BAKER on the introduction of his tax-sharing bill, of which I am a cosponsor. Together with the bill I introduced in January and those introduced by Representative GOODELL and Senator SCOTT, the Republicans in the Congress have now put forth slightly varying proposals involving a fundamental issue facing the country today. It is important to note that tax sharing has the support of Rep-

representatives GERALD R. FORD and MELVIN LAIRD in the House and Senator DIRKSEN and a growing group of Republicans in the Senate.

The proposal introduced today by Senator BAKER, the bill I introduced, and the bills introduced by other Republicans are moving the dialog forward on tax sharing. With the mounting effect of good bills and growing support from influential groups on the outside, such as the National Governors Conference, the National League of Cities, and others, I believe that Congress will have to take action on this issue before much longer. I strongly urge the chairman of the Finance Committee, Senator LONG, and Chairman WILBUR MILLS of the House Ways and Means Committee to put hearings on tax sharing high on their committees' agendas.

Support for tax sharing is growing, both in Congress and in the country. The President's failure to propose legislation in this area has provided Republicans with a major issue. I am very pleased to say that we have seized the issue, and also that we have put forth specific and detailed proposals to implement it.

Unless legislation is enacted giving States and local governments a share of the Federal tax revenues with maximum freedom to spend it consistent with protective conditions precedent against abuse, the trend will continue inexorably toward more conditional grant-in-aid programs, with increasing Federal intrusion into decisionmaking at the State and local levels.

In my judgment, there can be no genuine partnership between the Federal and local governments without some well-designed program of Federal-State revenue sharing. The bill being introduced today, and those that have been introduced before this year, are designed to accomplish this in the most meaningful and equitable way, so that the poorer States will have an opportunity to improve their services and so that the so-called richer States will have the resources necessary to meet the overwhelming problems of their urban complexes.

The choice facing the States and local governments today is not between more State dollars and Federal dollars, but between Federal dollars bound by strings and conditions, and funds which are relatively flexible in use and can help buttress the capability of State and local governments to carry their responsibilities and not to abdicate authority to the Federal Government due to the financial inability to discharge them.

THE CONSULAR CONVENTION

NONPROLIFERATION OF NUCLEAR WEAPONS

Mr. PASTORE. Mr. President, I want to say at the outset that I am now addressing myself to the Consular Treaty before the Senate. While my prepared remarks presently to be delivered, are not directly connected with the treaty, they are indirectly connected with the Consular Treaty for the reasons that I shall give momentarily.

It was President Kennedy who said that peace and tranquility in our time

will not come in any cataclysmic way. It will not suddenly descend upon this world, coming as a bolt out of the blue. Whatever we are able to achieve in this very disturbed and sensitive world will have to come step by step. And somewhere, and somehow, and by somebody, that first step will have to be taken.

Today we are considering, in this arising debate, the question of the Consular Treaty. A great deal can be said on one side or the other. One can argue dramatically for it or dramatically against it. However, the fact still remains that, somehow, this world will have to begin to understand that unless we learn to live together, we shall die together. Today there is enough destructive firepower in the world to equal 10 tons of TNT for every man, woman, and child on the face of the earth.

What the administration is trying to do—whether one considers it right or wrong—is to take that step or develop that détente which will be necessary in our time to face what I consider to be the challenge of mankind in our day. That is to prevent a nuclear or thermo-nuclear holocaust.

I shall listen to the debate very attentively. I will not be carried away by emotional flashes of oratory, by scare phrases which are very appealing, but which have not been thoroughly and exhaustively analyzed in the light of the kind of world in which we live—its perils—and yet its possibility of peace.

It is along that line that I address myself to this body, to this administration, and indeed to the entire world.

Less than 1 year ago—to be exact, on May 17, 1966—a most serious matter was before the Senate. The subject was embodied in a resolution which was simply worded—not highly technical—not difficult to understand—and impossible to ignore.

It was a resolution for nonproliferation of nuclear weapons.

The resolution passed the Senate without a dissenting vote.

I believe it was—and is—a profound declaration of the consensus of the Senate. Important as it was last year, I believe, indeed, it may be even more important today. So I ask the indulgence of my colleagues and read that Senate Resolution 179 of the 89th Congress, second session, we passed that day. It read:

[S. Res. 170, 89th Cong., second sess.]

RESOLUTION

Whereas the spread of nuclear weapons constitutes a grave threat to the security and peace of all nations, and

Whereas the knowledge and ability to design and manufacture nuclear weapons is becoming more universally known, and

Whereas the danger of nuclear war becomes greater as additional nations achieve independent nuclear weapon capability, and

Whereas it is the policy of the United States, as stated by President Johnson, "to seek agreements that will limit the perilous spread of nuclear weapons, and make it possible for all countries to refrain without fear from entering the nuclear arms race": Therefore be it

Resolved, That the Senate commends the President's serious and urgent efforts to negotiate international agreements limiting the spread of nuclear weapons and supports the principle of additional efforts by the President which are appropriate and necessary in

the interest of peace for the solution of nuclear proliferation problems.

That was the end of the resolution. On May 17 that resolution passed in the Senate by a vote of 84 to 0.

Today—March 9, 1967—the international disarmament conference is meeting in Geneva. Representatives of 17 nations of the world are engaged in an effort to negotiate a nonproliferation treaty.

The effort is arduous. Negotiations have been underway since February 21. As anyone who has been reading the newspaper reports well knows, there are currently some difficulties in negotiating and drafting the treaty language.

Specifically, there is disagreement among some nations, including our allies, with regard to article III of the proposed treaty submitted by the United States.

Article III has to do with international inspection of civilian nuclear facilities within the signatory countries.

There are two worthwhile international organizations that have been, and are, sponsoring civilian uses of atomic energy—the International Atomic Energy Agency and Euratom.

There appears to be developing in the minds of some that a choice must be made of one of these organizations to the exclusion of the other for the purpose of assuring that civilian nuclear material and equipment are not diverted to military purposes.

This is absolutely wrong.

I believe it would be worth while if we review the wording of article III as it was originally proposed by the United States and alternate variations that have been under consideration, and what problems there are.

As a member of the Joint Committee on Atomic Energy, and as present chairman of that committee, I have been closely following this matter, and I would hope that as we have been able to do in the past, the members of the Joint Committee can make some contributions to help solve the problems that may now be facing us in the international control of atomic power.

Article III in the proposed treaty tabled on August 17, 1965, and again on March 22, 1966, by the United States, stated as follows—and I wish to say here that when I use the word "tabled," it does not carry the same connotation that it would be given in the Senate. "Tabling" a measure in the Senate means to kill it. "Tabling" a matter here means merely that it was submitted. This is what article III stated:

Each of the states party to this treaty undertakes to cooperate in facilitating the application of International Atomic Energy Agency or equivalent international safeguards on all peaceful nuclear activities.

As my colleagues recall, last year when I introduced Senate Resolution 179 on January 18, I was critical of the wording of article III as proposed. I felt the phrasing was vague and noncommittal. I said then, and I repeat now, if we really believe—and I know that we do—that the application of international controls is necessary and we intend to support international safeguards—let us say so in clear, explicit, definite, unequivocal language.

Last year, I therefore recommended much stronger language—language that would make mandatory international controls—international safeguards to be applied to nuclear material and equipment transferred between nations. At the time I recommended the following specific language:

1. Each of the nonnuclear states party to this treaty undertakes to accept International Atomic Energy Agency or similar safeguards on all of their nuclear activities.

2. Each of the states party to this treaty undertakes to provide source or fissionable material, or specialized equipment or non-nuclear material for the processing or use of source or fissionable material or for the production of fissionable material, to other states for peaceful purposes only if such material and equipment will be subject to International Atomic Energy Agency or similar international safeguards.

I was saying—pure and simple—that any nation that gives fissionable material for civilian use shall make sure that the recipient of such material agrees to international inspection and all those who receive it in turn agree that they will subscribe to international inspection.

In my proposed language I used the words "International Atomic Energy Agency or similar international safeguards" and I chose those words quite carefully for the following reason:

The International Atomic Energy Agency, with a current membership of 97 nations has established a safeguards system but to date has not fully developed that system. Euratom, an organization consisting of six Western European nations has been operating an inspection system among its members which I hoped would also be used to assure compliance with the nonproliferation treaty.

While the International Atomic Energy Agency is further developing its capabilities, I wanted to be certain that we continued to draw upon and use the capabilities of the existing system within that region where it exists. When I made my recommendation I did not then, nor do I now, support any type of language that would put off into the undetermined future the requirement for some sort of international inspection. It was my strong belief then, and it remains today, that we must be definite as to when and how international inspection will be applied to verify the civilian uses of atomic energy and to assure materials are not diverted to military purposes in contravention of any nonproliferation treaty entered into by the United States and other nations. This has been U.S. policy from the inception of President Eisenhower's atoms-for-peace program enunciated in 1953. The United States has always required that agreements for cooperation in the civilian uses of atomic energy carry with them procedures and requirements for inspection. At first the United States on its own assumed that responsibility. Bilateral agreements with other nations included the right of U.S. inspectors to personally verify that equipment and material were being used in conformance with our agreement. Thereafter, when Euratom was formed

in 1957, we encouraged this group of six Western European nations to develop international-type safeguards within that organization. Within Euratom, nationals of the other member nations inspect Euratom material and equipment located in France; Dutch and Italian nationals inspect Euratom equipment and material in West Germany. However, from the beginning it was understood that in the event of the establishment of an international safeguards and control system under the International Atomic Energy Agency, Euratom would consider the International Atomic Energy Agency's assuming some safeguards and controls over Euratom nuclear material.

In 1958 the chief of the Euratom delegation, in a letter to the U.S. Representative to Euratom, assured the United States:

... in the event of the establishment of an international safeguards and control system by the International Atomic Energy Agency, the United States and Euratom will consult regarding assumption by that Agency of the safeguard and control over the fissionable material utilized or produced in implementation of the program contemplated by the Memorandum of Understanding.

The full text of the letter is as follows:

LUXEMBOURG,
June 18, 1958.

Ambassador W. WALTON BUTTERWORTH,
U.S. Representative,
European Atomic Energy Community,
Luxembourg.

DEAR MR. AMBASSADOR: As you are aware, in the course of the final negotiations on the text of the Memorandum of Understanding regarding the joint nuclear power program proposed between the European Atomic Energy Community (Euratom) and the United States of America, the question was raised as to the intent of the Parties regarding section 11D of the Memorandum. Section 11D provides for frequent consultation and exchange of visits between the Parties to give assurance to both Parties that the Euratom safeguards and control system effectively meets the responsibility and principles for the peaceful uses of atomic material stated in the Memorandum and that the standards of the materials accountability systems of the United States and Euratom are kept reasonably comparable.

I wish to confirm the understanding of the Euratom Commission that the consultations and exchanges of visits agreed upon in the referenced section and the assurance provided for therein include within those terms permission by each Party for the other Party to verify, by mutually approved scientific methods, the effectiveness of the safeguards and control systems applied to nuclear materials received from the other Party or to fissionable materials derived from these nuclear materials. In the Commission's judgment, this understanding is implicit in the text of the Memorandum of Understanding.

I wish further to confirm the Commission's understanding that with respect to Section 11E, in the event of the establishment of an international safeguards and control system by the International Atomic Energy Agency, the United States and Euratom will consult regarding assumption by that Agency of the safeguard and control over the fissionable material utilized or produced in implementation of the program contemplated by the Memorandum of Understanding.

Sincerely yours,

MAX KOHNSTAMM,
Chief, Euratom Delegation.

Ambassador Butterworth, U.S. Representative to Euratom, confirmed the understanding as follows:

JUNE 18, 1958.

MAX KOHNSTAMM, Esq.,
Chief, Euratom Delegation,
Luxembourg.

DEAR MR. KOHNSTAMM: As you are aware, in the course of the final negotiations on the text of the Memorandum of Understanding regarding the joint nuclear power program proposed between the European Atomic Energy Community (Euratom) and the United States of America, the question was raised as to the intent of the Parties regarding section 11 D of the Memorandum. Section 11 D provides for frequent consultation and exchanges of visits between the Parties to give assurance to both Parties that the Euratom safeguards and control system effectively meets the responsibility and principles for the peaceful uses of atomic materials stated in the Memorandum and that the standards of the materials accountability systems of the United States and Euratom are kept reasonably comparable.

I wish to confirm the understanding of my government that the consultations and exchanges of visits agreed upon in the referenced section and the assurance provided for therein include within those terms permission by each Party for the other Party to verify, by mutually approved scientific methods, the effectiveness of the safeguards and control systems applied to nuclear materials received from the other Party or to fissionable materials derived from these nuclear materials. In the Commission's judgment, this understanding is implicit in the text of the Memorandum of Understanding.

I wish further to confirm my government's understanding that with respect to Section 11 E, in the event of the establishment of an international safeguards and control system by the International Atomic Energy Agency, the United States and Euratom will consult regarding assumption by that Agency of the safeguard and control over the fissionable material utilized or produced in implementation of the program contemplated by the Memorandum of Understanding.

Sincerely yours,

Ambassador BUTTERWORTH,
U.S. Representative to the European
Atomic Energy Community, Luxem-
bourg.

Mr. President, since its inception I have been a strong supporter of Euratom. The Joint Committee on Atomic Energy, of which I am honored to be the chairman, has consistently supported various cooperative programs aimed at assisting Euratom in furthering the development of civilian nuclear power within Western Europe. Every proposal for cooperation and assistance—whether it involved information, technical assistance or fissionable material—was supported by the Joint Committee on Atomic Energy.

As chairman of the Subcommittee on Agreements for Cooperation for a number of years I consistently and constantly lent my voice and support to assisting what I believe to have been, and still to be, a worthwhile endeavor—Euratom. I therefore am surprised and disappointed when I read statements emanating from within Euratom nations resisting, if not opposing, the nonproliferation treaty and, particularly, International Atomic Energy Agency safeguards. Statements reportedly originating in West Germany claim that a nonproliferation treaty, as now being proposed in Geneva, adversely affects the civilian nuclear power program within that nation. This, if true,

is an incongruity and I daresay an untenable position. Each of the Euratom nations, as a member of Euratom, has already accepted international inspection within its own organization. In addition, each of the six member nations of Euratom has had bilateral agreements for cooperation with the United States which in the past authorized U.S. inspection. During the past several years two members of Euratom agreed to Euratom inspection of equipment received under their bilateral agreements with the United States. Following extended negotiation and review on August 1, 1965, Belgium entered into agreement by which it came under Euratom international inspection on all material and equipment it receives from the United States. On November 20, 1966, France also did the same. This year West Germany is expected to do the same.

In all cases, whether it be through bilateral agreements or through Euratom, the six nations of Euratom have agreed not to use material or equipment received from the United States for military purposes. This has not in any way adversely affected their civilian program. Similarly, each of the six in one way or another has accepted international inspection from its neighbors. I am therefore concerned that these nations that have been complying with non-proliferation-type restrictions should now raise objections by claiming that the nonproliferation treaty would prevent or hamper the civilian uses of atomic energy.

As I have over the years sponsored and supported Euratom, similarly I have been a strong supporter of the International Atomic Energy Agency. In 1955, when President Eisenhower appointed me a delegate to the General Assembly of the United Nations, I helped in the drafting of the U.S. resolution which first sponsored the International Atomic Energy Agency. I presented the draft proposal before the first political committee of the 10th General Assembly of the United Nations. I have seen the International Agency grow to what it is today—an organization dedicated to the development of nuclear energy for peaceful purposes with a membership of 97 nations, soon to be increased to 99.

Beginning in 1960 the International Atomic Energy Agency has been developing an international inspection system. It is still developing that system. It has, I am informed, approximately 13 individuals assigned to it whose responsibility it is to visit facilities throughout the world and to verify that equipment and material designated for civilian peaceful purposes are not diverted to military uses.

I personally do not believe that this limited personnel of the International Atomic Energy Agency system to date is adequate to assume its responsibilities throughout the entire world. I am convinced that in the last several years much has been accomplished in developing techniques and training International Atomic Energy Agency inspectors. A great deal more is necessary. I am sure it is important that in the years to come the United States and other nations dedicate themselves to improving and

strengthening the International Atomic Energy Agency safeguards system.

Now, I do not believe that we are compelled to make a choice, that is, to be either one or the other—the IAEA or Euratom. In my opinion, it can be a cooperation and understanding between the two.

Nonproliferation of nuclear weapons is of prime importance. We need any and all assistance we can receive to assure fissionable material and equipment are not diverted from civilian uses to nuclear weapons. We need the Euratom safeguards, we need the International Atomic Energy Agency safeguards, and we need any additional regional safeguard systems that may hereafter be set up.

I, for one, would welcome an organization, even of Warsaw Pact nations, that might be formed to further the civilian uses of atomic energy. But even if they did form an organization of nations, this should only be with the coordination and under the aegis of the International Agency for Atomic Energy, which is stationed now in Vienna.

I would welcome a system whereby Polish nationals would inspect Hungarian or Czechoslovakian facilities and vice versa.

I would welcome a group of South American nations that might form on a regional basis and which might develop an international safeguards system within their region.

There again, such systems should be supplementary by and in cooperation with the international agency.

On the other hand, I would not recommend nor would I support individual regional safeguards systems which would exclude International Atomic Energy Agency inspectors or which would be in lieu of International Atomic Energy Agency safeguards.

Mr. President, as I have indicated on numerous occasions in the past, I believe it is important that article III of the proposed nonproliferation treaty set forth a definite commitment that material and equipment transferred for peaceful uses will be subject to international inspection. I recommend that article III be clearly understood not to require the International Atomic Energy Agency inspection system or other international inspection to be exclusive of each other; that any regional system that currently exists, like Euratom or others that may subsequently be formed, be encouraged to assist in this important work, but that they be coordinated with and under the International Atomic Energy Agency safeguards system. To this extent I recommend that the U.S. representative to the International Atomic Energy Agency be instructed to propose an arrangement whereby the International Atomic Energy Agency would enter into a formal agreement with Euratom to develop equivalent technical standards for their safeguards systems and under which International Atomic Energy Agency inspectors would be authorized to verify Euratom's system. I would also recommend that such an agreement should include a joint research program to develop improved technical methods for safeguarding fissionable materials.

Organizations such as Euratom and the International Atomic Energy Agency, whose objectives are similar, should not be at odds with one another. They should be cooperating and supplementing one another. If these two organizations will enter into an agreement to help develop better safeguard methods, conceivably they could also enter into other joint projects in fostering the civilian use of atomic energy for their mutual benefit.

There are five nations today capable of unleashing a nuclear war. As additional nations develop nuclear weapon capability, the danger of accidental or deliberate nuclear war will increase. Every President—every administration—from President Truman to President Johnson—has supported a policy to prevent further proliferation of nuclear weapons. Beginning with President Eisenhower, the United States also has sponsored an atoms-for-peace program to help other nations and groups of nations throughout the world obtain the benefits of peaceful uses of atomic energy. It would be a sad and tragic event if jealous rivalry between two international organizations, both of which were formed to advance the peaceful uses of atomic energy, were to prevent an effective nonproliferation treaty from being adopted.

Individual nations within Euratom and within the International Atomic Energy Agency have been willing to give up some degree of their sovereignty for the benefit of the group. I might say that today we have a civilian nuclear plant operating at Rowe, Massachusetts. This is under international inspection. And we have suffered no inconvenience, and no discomfiture. Nor have we suffered any loss of security in that area. Further advancements can be made for the betterment of all if these separate international agencies will cooperate in developing and supporting an international safeguards system.

We must not falter. And we must not fail.

We are thousands of miles from Geneva today—but our tomorrow could depend on these discussions—those differences—and their decisions.

The very fact that mankind has a problem of nuclear proliferation to discuss, magnifies the perils that multiply with the expansion of the nuclear club.

We shuddered at the potential nuclear annihilation when the threat was in just two hands—ours and the Soviet Union.

All the wars of the 20th century have cost 100 million lives. Three hundred million might well be lost in the first hour of an all-out nuclear war.

I do not want to be overdramatic. The drama is in the facts—and the fears. If we precipitate an all-out nuclear war that would kill between 150 and 250 million people on the face of God's earth—and that is actually possible—I say to my colleagues that the living would envy the dead.

The conflagration, the destruction, the irradiation, and the contamination would make this world unbearable to human life. That is the holocaust that frightens me—when anyone speaks loosely and blithely about the use of atomic power. God forbid that day of doom will ever come to pass.

Today, five nations are in the "nuclear club," and a dozen nations stand in the wings counting the cost—against the prestige.

There are thousands of missiles actually on target at this hour in this divided world. Multiply them in mad hands—and "tomorrow" might become the most uncertain word in the language of man.

But mankind has a still more powerful weapon: the power of speech, of reason, of reasoning, of words, of communication, of understanding, man to man.

We have seen its power in these 20 years—growing into an active, articulate idea of a world of law and order.

We have seen its great instrument—the United Nations—become a power to maintain and restore peace among peoples.

We have seen the achievements of the Limited Nuclear Test Ban Treaty—our nuclear treaties in outer space—our "hot line" between the Kremlin and the White House.

We have seen these successes achieved when the hour seemed to promise pessimism—despair—defeat.

This hour at Geneva therefore calls for optimism.

It calls for the courage to compromise doubts and differences.

It calls for confidence in international cooperation.

It calls for a compact of nuclear security conceived in commonsense.

It calls for a partnership for peace.

I conclude by saying that the surest way we can guarantee the tranquility of every home, the peace of every mind, and the security of every individual on God's earth—man, woman, and child—is to make certain that somehow, some day, we develop a system of international inspection and control, of man's nuclear capability so that atoms for peace may insure that peace—and to make doubly sure that the cheater cannot destroy civilization.

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

Mr. PASTORE. I yield.

The PRESIDING OFFICER. The time of the Senator from Rhode Island has expired.

Mr. PASTORE. I ask unanimous consent for 2 additional minutes, in order to accommodate the distinguished Senator from Vermont.

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

Mr. AIKEN. I commend the Senator from Rhode Island for the speech he has just delivered. He has displayed a remarkable degree of sanity and commonsense which is all too seldom seen in the Halls of Congress. What he has said is absolutely correct, but it is so serious that it probably will not receive sufficient attention in the outside world. If we all had the sanity and the outlook possessed by the senior Senator from Rhode Island, we would be a much better legislative body.

Mr. PASTORE. I appreciate the sincere comments of the Senator just as I respect his concern for world peace.

I yield the floor, Mr. President.

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. HOLLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Pursuant to the previous order, the Chair recognizes the Senator from Florida for 10 minutes, as in legislative session.

ARBITRARY ACTION OF THE SECRETARY OF LABOR IN RAISING THE MINIMUM WAGES OF AGRICULTURAL LABOR

Mr. HOLLAND. Mr. President, I have read with great interest and concern the remarks of the distinguished Senator from California [Mr. MURPHY] that appear in the CONGRESSIONAL RECORD of Monday, March 7, on page 5620, with reference to the latest arbitrary action of the Secretary of Labor, Mr. Wirtz, in raising the minimum hourly wage that he will require California farmers to pay from \$1.40 to \$1.60 in order to be eligible to obtain needed foreign supplemental, harvest labor. By this same action, Mr. Wirtz has raised the minimum wage that he will require Florida farmers to pay before they can secure needed offshore supplemental harvest labor from \$1.15 an hour to \$1.35.

Mr. President, I concur completely in the remarks made by the junior Senator from California. Indeed, as Senator Murphy stated, the earlier capricious actions of Mr. Wirtz have resulted in increased cost of perishable foodstuffs throughout the land. They have resulted, in some cases, where fruits and vegetables have rotted in the fields for lack of a labor force to harvest them. In other cases they have forced farmers to reduce their plantings in order to avoid great losses.

Further, Mr. President, this latest action of Mr. Wirtz is but another example of the Department of Labor taking over jurisdiction through arbitrary arrogant action that wholly disregards the expressed intent of Congress. Just last year, as pointed out by our distinguished colleague from California, the Congress passed a new minimum wage bill now Public Law 89-601. This law amended the Fair Labor Standards Act of 1938 and among other things this new law for the first time extended the minimum wage to agricultural workers with certain minor exemptions. By so amending the act to cover agricultural labor, Congress required employers in agriculture to pay not less than \$1 per hour during the first year after the effective date of the Fair Labor Standards Amendments of 1966, or not less than \$1.15 an hour during the second year from such date and not less than \$1.30 an hour thereafter. The effective date of this new law was February 1, 1967.

In other words, by the latest action of Mr. Wirtz, he is arbitrarily requiring those farmers who will need supplement-

tal foreign harvest labor to pay a wage which, in the case of California, is 60 cents an hour higher than the minimum farm wage set by the new law for the year ending February 1, 1968. In the case of Florida, he is requiring a farmer who will need supplemental off-shore harvest labor to pay a minimum wage of 35 cents higher than the minimum wage set by the new law for farm labor during the year ending February 1, 1968. And he is requiring not only that his new wage figures shall apply to all supplemental harvest labor which he may graciously certify as necessary, but also to all domestic farm labor employed by the farmer. And under his order, the farmer, unless he complies with the new Wirtz mandate, will be denied the certification of his need for and right to secure supplemental foreign harvest labor, regardless of how grave the farmer's need may be and how great his loss will be in the event he cannot secure the needed extra workers.

I feel that the great departure of Secretary Wirtz from the standards set by the Congress last year is also clearly shown by the fact that the minimum rates which he is prescribing for farmers in California and Florida exceed by the same large amounts just stated the minimum rates provided by the new law in its first year for all new workers in nonagricultural industries who are included under the wage and hours law for the first time, such as workers in the laundry and hotel industries and in many stores. All newly covered workers were required to be paid a wage of not less than \$1 an hour during the first year from the effective date of the new law with an additional 15 cents being added for each of the second, third, fourth and fifth years covered by the new law. In other words, in California the agricultural rate of \$1.60 an hour fixed by Mr. Wirtz to be paid by farmers this year as a condition for their securing needed foreign supplemental harvest workers is a larger rate than that required to be paid to newly covered industrial workers until the fifth year of operation of the new law and thereafter.

In the case of Florida, Mr. Wirtz requires farmers this year to pay a minimum wage of \$1.35 per hour—a higher rate than that required to be paid to newly covered industrial workers until during the fourth year of operation of the new law.

In other words, while Congress clearly showed its decision to fix the ultimate minimum wage for agricultural labor at a lower level than that fixed for industrial labor which is just being brought under the coverage of the Wage and Hours Act, Mr. Wirtz has jumped to the opposite decision that he will require farmers to pay more for farm labor than is required by the act of Congress to be paid to newly covered industrial workers.

Mr. President, it seems to me that such capricious action as that taken by Mr. Wirtz is not only clearly illegal controverting the will of Congress as expressed in the new law passed last year, but is also brutal in the extreme in depriving a producer of perishable fruits or vegetables of any chance to secure needed supplemental foreign labor un-

less he has first bowed to the tyrannical mandate of the Secretary of Labor and obligated himself to pay a minimum wage much greater than that which has been set by law, duly enacted by the Congress, in the exercise of its legislative responsibility.

Mr. President, following my dictation of the remarks which I have just made, I received from the Department of Labor, over the signature of Mr. David S. North, assistant to the Secretary, a letter addressed to my legislative assistant, Mr. Thomas A. Young, replying to our request for information about the new regulations on foreign farm labor which had been announced by the Secretary of Labor. I ask that this letter from the Department of Labor be incorporated in my remarks at this time as a part thereof.

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

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington.

MR. THOMAS A. YOUNG,
Office of Senator Holland,
U.S. Senate, Washington, D.C.

DEAR MR. YOUNG: You asked for some information about the new regulations on foreign farm labor which were announced by the Secretary. Perhaps the following will be helpful:

Wages—Growers seeking foreign farm workers must offer American workers jobs with stipulated wage rates and certain other benefits, such as transportation and housing; if he makes such an offer and fails to attract workers, then the grower can ask the Secretary to set in motion the necessary machinery (involving the Immigration Service as well as the Labor Department) to bring in the foreign farm workers. The new regulations have increased the rates required, called "adverse effect" rates, as noted on the attachment.

Effective Date—These regulations will go into effect for crop activities starting after April 1. For all practical purposes this means that they will have no effect in Florida until next fall, because crop activities, such as cane and citrus harvesting are now under way. The Secretary did not want to change any wage patterns in the middle of a season.

Other provisions—The new regulations, which will be issued shortly, will be easier to work with than the earlier one (published in December 1964). It will be one document, rather than several.

Growers in states not requiring workmen's compensation for farm workers must supply accident insurance to the workers, and the levels of benefits have been increased in case of death or disability. (This has little or no significance for Florida—sugar cane workers have been covered by workmen's compensation for years.)

Previously we had a maximum limit of 120 days for worker certifications. In effect it meant that the sugar cane industry had to process two sets of papers for one season. This limit has been dropped in the new regulations.

Impact on Citrus—The new regulations will have no impact on this year's citrus harvest, as noted above. We expect that the industry will again want an extension of the special, crew average—no guaranteed minimum arrangement next fall, and that they again will petition for it. (The Secretary has twice approved such an arrangement.) The current arrangement calls for a crew average of \$1.50, which has caused the growers no difficulty at all, because the average

hourly pay has been in excess of \$2.00 an hour.

Impact on Sugar—There will be no impact on the sugar cane industry, which is currently paying its men a guaranteed minimum rate of \$1.35 an hour, which was set by the Department of Agriculture. If history is any guide, this rate will be higher next year by a nickel or a dime.

The higher rates reflect higher wages paid to farm workers in recent years. The rates were last set in December 1964.

If we can offer more information, please let us know. Sorry you had trouble reaching me this morning.

Sincerely,

DAVID S. NORTH,
Assistant to the Secretary.

(Enclosure.)

Adverse effect rates

State	1964 regulations	1967 regulations
Florida.....	\$1.15	\$1.35
Virginia.....	1.15	1.35
West Virginia.....	1.15	1.35
Maine.....	1.25	1.45
New York.....	1.30	1.50
Massachusetts.....	1.30	1.50
Rhode Island.....	1.30	1.50
New Hampshire.....	1.30	1.50
Vermont.....	1.30	1.50
Connecticut.....	1.40	1.60
California.....	1.40	1.60

NOTE.—Rates were set only for those States where foreign farmworkers had been employed in the years 1965 or 1966. If need be, the Secretary would set rates on a comparable basis for States not here listed.

Mr. HOLLAND. Mr. President, it will be noted that the new regulations which have not yet been issued have already increased the minimum wage rates required in Florida and California as set forth in my statement in detail, but will also be applicable later in the year to the nine other States listed in the compilation attached to the letter of Mr. North. Those States are Virginia, West Virginia, Maine, New York, Massachusetts, Rhode Island, New Hampshire, Vermont, and Connecticut. It is clear that all along the line wherever foreign farm labor has been employed in the years 1965 or 1966 the Secretary of Labor is following the same course that I have already mentioned as applicable now to Florida and California, that is, he is raising the minimum rate for agricultural labor to figures well above those set by the new law for agricultural labor and for newly covered industrial labor. In other words, the Secretary of Labor is deliberately and arrogantly reversing the policy and standards adopted by Congress in the passage of the new 1966 wage and hours law and is proposing to enforce against all farm employers the requirement that they must pay to their farmworkers minimum wages well above the level required by law as a condition to their being allowed to have certified for their use needed foreign, supplemental, harvest labor.

I had also requested from the Department of Labor figures covering the number of foreign laborers admitted so far this year as supplemental, foreign, harvest laborers and they have furnished me the following information; namely, that 8,762 cancutters have been certified this year to Florida sugarcane growers from off-shore labor, and that 2,558 Canadian woodcutters have been certified to New England States and New York. For some

reason the Secretary of Labor always prefers to ignore the presence in the United States of Basque sheepherders which are certainly agricultural laborers. I am advised, but not by the Secretary of Labor, that the number of Basque sheepherders now in the United States at this time is from 1,600 to 1,700. I am not advised what the policy of the Secretary of Labor is relative to the wages required to be paid to these Basque sheepherders.

Before closing, I wish to call clear attention to a fact which the producers of perishable foods in this Nation are not forgetting for a single moment, which is that when the Senate sometime ago was evenly divided on the question of whether the Secretary of Agriculture should be substituted for the Secretary of Labor in handling the problems of agricultural labor, the Vice President, himself, broke the tie vote and defeated action of the Senate under which the Secretary of Agriculture would have been given, so far as Senate action could accomplish it, the responsibility in this field. By that vote of the Vice President, the present national administration accepted full responsibility for the mishandling of this problem by the Secretary of Labor which has already occurred and which is now assuming more damaging proportions. It is high time that the national administration took a corrective hand in this sorry business so as to require fairer treatment of the hundreds of thousands of producers of perishable foods within this Nation by recognizing that there is a real shortage of domestic labor for the harvesting of indispensable food crops and that the availability of needed supplemental foreign harvesters be recognized in such an adequate way and in such timely fashion as to prevent further damage to our great food producing industry.

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

Mr. HOLLAND. I am glad to yield to the Senator from Vermont.

Mr. AIKEN. The Senator from Florida, as usual, has undertaken to protect the farmers of his State and the United States. I feel, however, that he has an uphill job in order to be very effective in this field.

In regard to the fixing of farm labor prices above the amount which is set by the Congress as to minimum wages I am not so much concerned about the level at which Secretary Wirtz has set the wages as I am about the assumption of power on the part of one of the executive agencies of the Government.

The farmers of this country are apparently hitting the skids. Twelve percent of the dairymen in my State will go out of business this year. It will not be much less than that all over the country as a whole. Other farmers are quitting wholesale at a time when we are told that we have to have more food.

There is a reason for this quitting. Farm prices in just one year have dropped eight parity points, if I am correctly informed—from about 82 to 74 percent of parity, that parity representing prices received by the farmer as compared with prices and income received

by those engaged in other segments of the economy.

They say that the farmer may not amount to much any more but, nevertheless, over 30 percent of all the people gainfully employed in this country depend upon agriculture for their livelihood today, either in the manufacturing of supplies, producing on the land, or in processing and handling the products of the farm.

Yet very little consideration is being given to the farmers. I do not believe that Congress has given enough consideration to the problems which confront our farmers. Many of our people are over in Europe undertaking to make arrangements for trade agreements. It seems that American agriculture may be simply a pawn to be used for the aggrandizement of some of our industrial people who have transferred much of their own production to Western Europe.

Thus I feel that the Senator from Florida has done well. We cannot afford to let agriculture go down hill.

I voted against the bill, day before yesterday, which had many good points in it, simply because that bill undertook to transfer jurisdiction over agricultural colleges, the Extension Service, experiment stations, and agriculture research from the Committee on Agriculture and Forestry to a new Committee on Education, which in all probability will be made up almost wholly of nonfarm people, some of whom will have very little knowledge of agriculture—although I do not want to say that they are not knowledgeable in the fields of education or health.

I do not admit that American agriculture has been a failure. I think it has been one of the most outstanding successes in all history. American agriculture has not only given to the United States the highest standard of living the world has ever known but it has also driven famine from many countries in the world and has kept many a country from changing its very form of government. Yet it seems as if every agency of the executive branch of the Government wants to take jurisdiction over American agriculture. Certainly, the State Department would love to take it over and use it as an instrument in international negotiations.

The Department of Labor, as has been pointed out by the Senator from Florida, undertakes to run American agriculture by determining costs. The Interior Department already has taken over a good deal of the work and jurisdiction which used to belong to the Department of Agriculture. And, as I have pointed out, now the Department of HEW wants to get the rest of it.

Mr. President, when American agriculture goes down the drain—and there are many forces pushing it in that direction at the present time—it will be a very sad day for the United States.

Mr. HOLLAND. Mr. President, I express my great appreciation to the Senator from Vermont and say for the record that, as the ranking minority member of the Committee on Agriculture and Forestry, and also as an ex officio

member of the Subcommittee on Appropriations for Agriculture, on both committees of which I have the honor to serve with the Senator from Vermont, he is fighting unceasingly for agriculture. The agricultural producers of this country have no better friend in Congress than the Senator from Vermont.

I agree entirely with the distinguished Senator that the amounts of the "upping" of the minimum wage as just announced by the Secretary are not of too great concern to many kinds of producers.

In fact, in his letter, the Secretary states that the average rate received by the citrus pickers of Florida last year was above \$2 and, therefore, that very important industry, so far as wages are concerned, is not directly affected.

So far as cane is concerned, he already admits that he cannot find any Americans who want to get down on their knees in the muck and with machetes cut down the cane; and he has, therefore, given us consent to bring in people from the areas where that is a customary procedure on their farms, in order to harvest our cane.

However, as in the case of vegetable producers and strawberry growers, we are witnessing great quantities of our tomato production, both from the eastern and western parts of the country, going to Mexico and other countries, simply because of the smaller cost of labor. We are also witnessing our strawberry producers going out of business, and other industries which I can mention being seriously and adversely affected by this inane policy of the Secretary of Labor, who rules the producers of perishable foods with such an iron hand.

Yet he goes to court when he is called before the U.S. district court in Orlando, Fla., and says that he has no authority in this matter at all, that all he can do is advise the immigration authorities as to whether they should let them in, and, therefore, he does not have to answer, in law, for what he is doing.

To me, this is a rather outrageous thing which this man is doing and has done to the producers of perishable, agricultural commodities in this Nation.

I remind the Senator from Vermont that I see here that his own State has turned periodically to Canada for woodcutters and apple pickers, beyond what Vermont can furnish from its own population, and under the mandate of Secretary Wirtz, the rate is raised from \$1.30 an hour—which has been the rate prevailing since 1964—to \$1.50 per hour.

So I do not know whether that would seriously inconvenience them or not.

Mr. AIKEN. No.

Mr. HOLLAND. The fact is that the standard is set up one-half again as large as that set by Congress, in its wisdom, only last year. The Secretary of Labor allocated to himself the authority to do that.

I resent that. I protest as vigorously as I can against any executive official setting up his discretion, his judgment, particularly in a field about which he knows very little, as against the expressed judgment of Congress under a law it passed, and which was signed by the President.

Mr. AIKEN. It is not the rate for the apple pickers, because we cannot get them to work for \$1.50 an hour anyway; it is the fact that the orchardist has to get down on his knees and crawl half a mile to the Labor Department before he can get pickers at all to help him. It is not the price that bothers him. It is the system whereby the Secretary of Labor does everything he can to force the orchardist to take people from other areas. He tried to bring in people from Boston, Mass., a year ago, but that did not work out very well. They didn't want to pick apples. I do not believe they got more than half a dozen in all from that source.

Before I sit down—and I am ready to do so momentarily—I want to say to the Senator from Florida and the Subcommittee on Agricultural Appropriations, of which he is chairman, that his committee is almost the last bulwark between the American farmer and several forms of disaster.

Mr. HOLLAND. I thank my distinguished friend. All I can say is that if I happen to stand in that position, I am well supported by the Senator from Vermont and numerous others, although they are too small in number. We were not able to get an even split in the Senate on the matter of transferring jurisdiction from the Secretary of Labor to the Secretary of Agriculture, who knows something about agriculture, when the matter of agricultural labor was before us. But we will keep trying. In the meantime, I call attention again to the fact that I think the current national administration has a very great responsibility in this matter. It accepted that responsibility when the Vice President voted to break the tie by which we would have approved the transfer. I am calling attention to it again today. I will continue to call attention to it from time to time during this session and as long as necessary until the matter is corrected.

There is no good judgment in permitting a part of the administration to do something which reflects discredit on the rest of the Government, from the President on down, of which I am proud to be a part. I am complaining about the scurvy treatment given to producers of perishable food throughout the country, and shall continue as long as I am able to do so.

I want to say to my friend from Vermont that there is another thing that bothers me. Not only is agricultural income going down, but the percentage of the consumer dollar that is received by the producer of perishable crops generally is considerably below the level of the percentage of the dollar other agricultural producers receive.

The perishable producer has to observe so many safeguards and go through so many processes that when he gets his crops to the market he finds subtracted from the total price paid by the consumer the cost of many more things than in the case of the stable crops.

Perishable crops are a large part of the necessary food supplies of this Nation and for our children, and it seems to me the producers of those perishable crops should be given better treatment than they are.

I close by mentioning another thing. The Senator from Vermont [Mr. Aiken] is a member of the Committee on Foreign Relations as well as the Committee on Agriculture and Forestry, and he sees both sides of this question. I think our abundance of the production of food not only helps to sustain in this country the highest standards of nourishment of any nation, but also permits us to ship many tons of food to countries in many areas of the world, and has prevented famine in important countries—important not only because human beings are affected, but important because they are democratic nations who are trying to keep their heads up. To treat producers of these agricultural products in this scurvy way, when our agricultural abundance is used in our foreign relations, is something which I cannot endure without speaking out. I am sure many others feel as I do and as the Senator from Vermont does.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CONSULAR CONVENTION WITH THE SOVIET UNION

EXECUTIVE RESERVATION

The PRESIDING OFFICER. The Chair lays before the Senate the pending business, which the clerk will state.

The ASSISTANT LEGISLATIVE CLERK. 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 (Ex. D. 88th Cong., second sess.).

The Senate resumed the consideration of the convention.

Mr. MUNDT. Mr. President, I send to the desk executive reservation 1 on the Consular Convention with Russia, and call attention to the fact that this is in the nature of what I believe could be described as a good faith reservation.

The reservation deals with the matter of providing our consular officers in Russia with the right to call in the press to answer criticism made by Communist officials of that area on the spot where they are made—the same kind of exact reciprocal provisions, the same reciprocal conditions, and the same reciprocal practices which the Russian diplomatic corps now exercise in the city of Washington.

It also provides that there shall be freedom of expression, association, and reciprocity in connection with the number of newsmen, and the treatment of newsmen as they move back and forth between the two countries.

It seems to me that that should have been in the treaty as it deals with reciprocity. It is tremendously important that our people there have the same re-

ciprocal advantages in Moscow that their people have here.

I ask unanimous consent that the full text of the reservation dealing with freedom of expression of the press and association may be printed in the RECORD.

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

EXECUTIVE RESERVATION 1

Reservation intended to be proposed by Messrs. MUNDT, DOMINICK, and HRUSKA to the resolution of ratification of the 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: Before the period at the end of the resolution of ratification insert a comma and the following: "subject to the reservation that no exchange of instruments of ratification of the convention shall be entered into on behalf of the United States until the Union of Soviet Socialist Republics shall have agreed (1) to permit the distribution to the Soviet press or any segment thereof by United States diplomatic and consular officers of announcements of United States public policy, both foreign and domestic, and answers to any criticism of such policy contained in the Soviet press, and (2) not to impose or enforce any limitation on the number of United States citizens permitted to be in the Soviet Union at any time as representatives of the United States press which would effectively reduce them below the number of Soviet press representatives entering the United States."

EXECUTIVE RESERVATION 2

Mr. MUNDT. Mr. President, the other reservation, which I think is a good-faith reservation, deals with the matter of providing that the treaty shall not go into effect until the President of the United States first sends a message to the Congress declaring one of two factors existing: the first in the happy eventuality that he can send a message to the Congress that the troops, the Armed Forces of the United States, are no longer required overseas to protect South Vietnam. That would trigger the activation and the implementation of the treaty. In lieu of that, if the President can send a message to the Congress of the United States to the effect that the return of our Armed Forces from Vietnam is not being prevented or delayed by virtue of the fact that the Soviet Union is supplying arms and weapons to continue the war, that fact would serve to activate the treaty.

It seems to me that while we are seeking to decrease the problems and perils of Americans traveling in Russia for pleasure or business, we should be sure we do nothing to increase the problems and perils of the Armed Forces fighting for freedom in Vietnam.

I think we should ask the question, Why should we protect people who can afford to travel in Russia and ignore the boys who can ill afford to be drafted to be sent to Vietnam to fight for freedom over there?

This reservation would simply have the effect of deferring the applicable date of the treaty until we could be sure our boys were not needed there, or, if they were needed there, they were not being killed by weapons and supplies furnished by the other party to the treaty.

This reservation will not necessarily delay the ratification date, because we should recognize that the Soviet Presidium, the legislative body of the Soviet Union, has not yet ratified the treaty. There will be full time to ratify whenever that comes up for consideration.

I ask unanimous consent that the text of the reservation be printed in full at this point in the RECORD.

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

EXECUTIVE RESERVATION 2

Reservation intended to be proposed by Mr. MUNDT on behalf of himself and Senators MILLER, MURPHY, TOWER, CURTIS, CORTON, and HRUSKA to the resolution of ratification of the 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: Before the period at the end of the resolution of ratification insert a comma and the following: "Subject to the reservation that no exchange of instruments of ratification of this Convention shall be entered into on behalf of the United States, and the Convention shall not enter into force, until the President determines and reports to the Congress that (1) it is no longer necessary to assign members of the Armed Forces of the United States to perform combat duties in the defense of South Vietnam or (2) the removal of members of the Armed Forces of the United States from South Vietnam is not being prevented or delayed because of military assistance furnished North Vietnam by the Soviet Union."

EXECUTIVE UNDERSTANDING 1

Mrs. SMITH. Mr. President, I believe that many Members of the Senate are deeply concerned about the making of a treaty with a country that is providing the real backbone of the materiel and equipment for the aggressor in North Vietnam and Vietcong forces that are killing American servicemen in Vietnam.

I believe that many Members of the Senate do not wish to kill the proposed Consular Treaty with Russia even though they are deeply concerned about the fact that Russia is providing the materiel and equipment that is being used not only to kill American servicemen but also greatly bolsters the refusal of North Vietnam to respond to the offers of the President of the United States for a peaceful negotiation of the end of the war in Vietnam.

Because of this, I intend to propose an amendment to the resolution of ratification, which will provide an opportunity for Members of the Senate to clearly express themselves on this point and I send the proposed amendment to the desk and ask that it be ordered to lie on the table and to be printed.

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

The understanding No. 1 is as follows:

EXECUTIVE UNDERSTANDING 1

Understanding intended to be proposed by Mrs. Smith to the resolution of ratification of the 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:

After the period at the end of the resolution of ratification add a new sentence as follows: "In giving its advice and consent to

the ratification of this Convention, the Senate expresses its hope that before the United States consents to the opening by the Soviet Union of any consular establishment in the United States, an honorable conclusion will be achieved in the Vietnam conflict, whereby United States military forces will no longer be needed to perform combat duties in the defense of South Vietnam."

Mr. SCOTT. Mr. President, I rise, once more, to speak on behalf of the pending United States-Soviet Consular Convention.

In my first speech to the Senate on this subject, a little more than a month ago, I suggested that a great deal of the opposition was due to a misunderstanding of the convention and its provisions.

Subsequent developments have proven the truth of this prediction. My office has been bombarded with a stream of mail citing article 2 as "proof" that this convention authorizes and directs the opening of additional consulates here. It does not. What article 2 says is that—

A consular establishment may be opened in the territory of the receiving state—

But—and here is the important qualification that is often overlooked—only with the consent of the receiving state.

This, in essence, is nothing more than a restatement of the permissive authority to initiate reciprocal negotiations for this purpose already granted to the President under the U.S. Constitution. Thus, the Consular Convention has no direct bearing on this question.

This convention is nothing more and nothing less than a set of legal safeguards designed to govern consular operations between this country and the Soviet Union. For us, however, it represents an unusual opportunity to provide to Americans, assigned to and traveling in the Soviet Union, protections not now available. Of particular importance for our consular personnel is freedom from Russian criminal jurisdiction; of equal importance for private Americans, traveling and doing business in Russia, are the guarantees of immediate diplomatic notifications and access in cases of arrest.

In practice, this country already allows to Soviets accused of crimes here the same constitutional guarantees available to all Americans. Our citizens in Russia have no such protection, but the Consular Convention will be a vital step in this direction. I think it is worth noting, again, that the provisions of this convention represent unique concessions by the Russian Government. The Soviets, for the first time, will be extending to Americans, through this convention, protections not even given to Soviets in their own homeland.

Mr. President, I, for one, am growing tired of the argument that we should somehow "forget" those Americans who travel and do business in the Soviet Union and that "they shouldn't be there in the first place." We are told, "You should be worrying more about the 180 million Americans right here at home." Similarly, we are told that it is somehow "wrong" to consider this convention while engaged in a war against Communist aggression in North Vietnam.

Both arguments, I believe, ignore the realities of the current world situation. We cannot return to the isolationism of an earlier era; nor can we be guided by an assumption that total war is the only inevitability. Therefore, we must continue to seek those avenues, and those areas of negotiation which remain open to us, which offer some hope that the lasting peace we all seek between the Communist and non-Communist worlds can eventually be built. The Consular Convention, in my opinion, must be viewed in this light. I urge its approval.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Georgia.

Mr. TALMADGE. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. TALMADGE. Mr. President, in our consideration of the Consular Treaty it is imperative that we place foremost in our minds its possible effect on the security and future well-being of America.

In its present form, I do not believe that it would be wise or in the best interests of the United States for the Senate to give its advice and consent to this treaty. It is for this reason that I rise to urge the Senate to strike from the treaty, article 19, sections 2 and 3, which I believe to be the convention's most serious defect.

There are, of course, many pros and cons of the treaty and they are now being explored by the Senate, as well they should be. However, it seems clear to me that if we adopt this convention without correcting this significant deficiency, we stand to lose far more than we could gain.

On the plus side, the treaty would provide for protection of Americans in Russia in the event of arrest by Soviet authorities. Americans now traveling in Russia number close to 20,000 a year, and provisions of the treaty are designed to eliminate the threat of our citizens being arrested and held incommunicado in Soviet jails for long periods of time, and would allow U.S. officials to maintain contact with and counsel arrested Americans.

Russian citizens traveling in America total only about 900 a year.

Thus, at least in this regard, the treaty definitely leans in our favor.

Aside from the interest of our Government in establishing consulates in the Soviet Union, this is probably the most outstanding favorable provision of the convention.

However, notwithstanding this safeguard, it is nonetheless vitally important that we hold this treaty at arm's length and give it our most careful scrutiny.

I now come to what I believe to be the most compelling reason why the Senate should not accept this treaty as it now stands. I refer to provisions in the treaty, contained in article 19, sections 2 and 3, which would grant immunity to Soviet consular officers and employees from criminal prosecution, both misdemeanor and felony.

Mr. President, never before in the annals of our Republic have we seen fit to grant to the consular officers or em-

ployees of any country total immunity from criminal prosecution. That immunity goes only to diplomatic officials and embassy officials. These provisions were instituted during the administration of George Washington, in 1790. Since that time, we have had friendships with many countries all over the face of the earth, but never during all that time have we granted absolute and complete immunity from prosecution to consuls, members of their staffs, or employees.

It is strange indeed that we should pick out the Soviet Union, which has given the world much trouble for the past 50 years, for this special privilege. This immunity would be absolute, Mr. President. For example, the janitor of a Soviet consular office could assassinate the President of the United States and, under the provisions of Article 19, what would be the remedy? What would be the result? The U.S. Government would be empowered only to declare him persona non grata and only to expel that Soviet subject, and he could go back to the Soviet Union, after having assassinated the President of the United States of America with impunity.

This treaty would set a dangerous precedent indeed by providing for the first time for unlimited exemption from criminal prosecution of consular personnel. In the past, consular conventions have allowed such an exemption only in misdemeanor cases and not felonies. Consular personnel are primarily economic officers and not diplomats, and it has never been construed by our government that they should be entitled to the same diplomatic immunity extended ambassadors and embassy staffs.

In short, consular officers have never been granted total immunity from criminal prosecution in all the history of our Republic, and they should not now be exempted from the jurisdiction of the State and Federal laws of our Nation.

It is inconceivable to me that the United States should enter into a bilateral treaty which would grant diplomatic immunity to consular officers of the Soviet Union when we have never done so before with any other nation, not even those most friendly to this country.

At a time when Americans are fighting Communist aggression and dying in Vietnam, and when the Soviet Union is helping to furnish the sinews of war to the Hanoi regime, I question the wisdom and propriety of, in effect, singling out the Soviet Union for special privileges not even afforded our allies. Moreover, we are dealing here with a nation that has won no prizes for honoring agreements. We have much historical evidence to indicate that the Communists will abrogate a treaty whenever it suits their purpose to do so.

While we consider granting special privileges and immunities to the Soviet Union, we would do well to keep these things in mind.

Mr. President, I submit that the immunity provision is fraught with great peril.

It would significantly increase the danger to the U.S. internal security resulting from increased Soviet espionage

Although the Russians need no invitation to conduct espionage and subversive activities in America, article 19 would surely encourage and enable them to enlarge the sphere of their spying and under these provisions they would be able to do so without fear of punishment, and without being liable for prosecution of any kind.

Staff members and employees of consulates, wherever they might be located in the United States, could rob, steal, commit murder, or perpetrate any heinous crime, and our authorities would be helpless to even bring them to trial and seek convictions. All we could do in effect would be to slap them on the wrist, declare them *persona non grata* and have them expelled from the country—which is about like locking the barn door after the horse has been stolen.

Consular officers could engage in espionage and subversion and attempt to entice U.S. citizens into committing high treason, and the best our Government could do would be to send them back home—after the security of the United States had already been breached.

Moreover, we have strong indications from the FBI that the establishment of more consulates in the United States would by itself make the Bureau's work more difficult, but the granting of diplomatic immunity to consular officials in various American cities would greatly multiply this problem.

In sum, this immunity once granted would amount to *carte blanche* authority to Soviet agents to violate our laws at will and to expand their espionage activities with impunity.

Moreover, there is still another very important consideration. If these immunity provisions are adopted, they would apply not only to Soviet consular personnel, but to consular officers and employees of some 27 other countries—including Yugoslavia and Rumania—with which the United States has consular agreements containing most-favored-nation clauses. It would in effect open a floodgate which I think most of us will agree should remain closed.

It is for these reasons, and I urge their careful consideration by the Senate, that at this time I ask the Senate to strike article 19, sections 2 and 3, from proposed convention and insert in lieu thereof the language of my amendment, which is identical to the language that our Government has used in providing for every consular office that has ever been established in these United States of America. Mr. President, it is amazing to me that we should establish a new policy, totally different from what has existed for almost 200 years, with the Soviet Union.

To illustrate that this idea apparently originated with the Soviet Union, the Soviets have apparently negotiated since that time with Great Britain a Consular Treaty similar to this, granting total and complete criminal immunity to Soviet consular officers and employees stationed in Great Britain. But since the negotiation of that Consular Treaty, the British and the Soviets have had some troubles. A man by the name of Brooke, representing the British Government in

the Soviet Union, was arrested. And the British have not ratified the treaty to date.

The Soviet Union also negotiated a similar treaty with the Japanese. I do not know whether Japan has yet ratified that convention or not. But that is the pattern, Mr. President. We deviate from a policy of almost 200 years with the Soviet Union, then the Soviet Union negotiates a similar treaty with Great Britain, which has not been ratified, and undertakes to negotiate a similar treaty with Japan.

For some reason, the Soviets apparently want their consular officers and employees throughout the world to be granted immunity from criminal prosecution, whatever the crime may be.

Imagine what information, what espionage, what crimes, Mr. President, could be handled by consular officers, staffs, and employees throughout the world, for the Soviet Union, when their agents are free and immune from any criminal prosecution whatsoever.

I hope that the Senate will agree to the amendment.

I deem some provisions of the treaty to be in the national interest, but I do not believe that an absolute grant of immunity from any criminal law by any State or any nation is in our best interest.

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

Mr. TALMADGE. I yield.

Mr. HOLLAND. Mr. President, I congratulate the distinguished Senator from Georgia, who has, in my opinion, placed his hand upon the Achilles tendon in the heel of this treaty.

In order that it may appear in the RECORD that the committee in its judgment recognized but, for some reason, did not consider as too important the very facts which have been so eloquently pointed out by the Senator from Georgia, I read into the RECORD at this time the appropriate paragraph from the report of the majority of the committee as filed by the chairman of the committee, the distinguished Senator from Arkansas [Mr. FULBRIGHT]:

The provision of the convention which gives unrestricted immunity from criminal prosecution to consular officers and employees is a provision which has not been included heretofore in any consular convention or agreement to which the United States is a party. The United States now has consular conventions and agreements, containing a most-favored-nation clause, with 35 countries. Twenty-seven of these 35 have consular establishments in the United States employing a total of 577 personnel. Any of these 27 countries may, of course, request that such immunity be granted to their consular officers and employees providing they are willing to do likewise. On the basis of a preliminary survey conducted by our embassies in these 27 countries, however, it is estimated that only 11 countries would be interested in requesting such immunity so that only 290 foreign consular officers and employees would presently be affected.

Mr. President, it seems to me that the committee itself shows by this paragraph that this is a provision which we may not overlook and, so far as the senior Senator from Florida is concerned, he is not going to overlook it.

I thank the Senator for his eloquent address.

Mr. TALMADGE. Mr. President, I thank my friend, the senior Senator from Florida, for his generous, personal remarks. I deeply appreciate his contribution.

The committee apparently brushed it over hurriedly, but they recognized as most unusual a change in the pattern of almost 200 years. Why we should pick out the Soviet Union to give this favored treatment, more favored treatment than we have ever given to any other nation on the face of the earth, is beyond my comprehension.

Mr. HOLLAND. Mr. President, we must remember that we are used to having this problem of diplomatic immunity in Washington, the Capital of our Nation, and in New York, the capital of the United Nations. But we are not used to having this problem in many cities of the United States in which consulates are already located which, prior to the opening of any Soviet consulate, could come under this provision of the treaty, if they wished to and were willing to be mutual in the matter.

I think trouble enough in this matter of diplomatic immunity has come up to embarrass the agents of other countries and our country many times in the 20 years in which I have served in the Senate.

We have trouble enough in Washington and New York where we are used to the problem.

How the problem would affect the peace and tranquility of the many cities throughout the Nation where consulates already exist and where consulates might exist in the future under this proposal, I am unable to say. But I do not believe they would be as able to cope with the problem as are the police, the Secret Service, the FBI and all the other manifold agents of our Government in Washington and New York.

I think we should strike this provision from the treaty.

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

Mr. HOLLAND. I yield the floor.

Mr. MUNDT. Mr. President, to respond to the question that the distinguished Senator from Georgia asked himself as to how in the world this question of complete immunity could creep into a treaty of this kind, the testimony before the Foreign Relations Committee of the Senate is very precise on that point.

This was a provision that was insisted upon by Moscow. They insisted that this complete immunity, this totally unprecedented granting of immunity, be incorporated in the treaty.

It was not the suggestion of American consulates, although they yielded to the pressure of the Communists to put it in. That will be found in the hearings.

Mr. MORTON. Mr. President, along with all my colleagues, I have been receiving a tremendous amount of mail on this treaty.

I have very carefully gone through the mail. It was a burdensome task and, I might say from my standpoint, not very pleasant, because one gets tired of being called everything under the sun and having people offer to send you rattlesnakes and whatnot. However, it was a necessary job to do.

I Many very cogent, very carefully considered, and excellent questions were raised in the thousands of letters I have received in connection with this Consular Convention.

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

Mr. MORTON. I shall yield, but before I yield, I wish to say that I have discovered that my colleague, the junior Senator from Illinois, has been going through his mail.

Illinois and Kentucky are neighbors. The only difference is that the State of Illinois has three or four times as many people as does Kentucky. So, I assume that the Senator has received four times as much mail as I have, and that he, too, has been studying the problem.

Mr. PERCY. Mr. President, as the Senator from Kentucky knows, I have received a good deal of mail, and I have discussed some of it with the distinguished Senator.

I receive about 1,000 letters a day from Illinois, and I would say that for the last 5 to 6 weeks, heading the list of the questions that continue to come up persistently is the question of the Consular Treaty and its ratification.

The mail divides itself sharply into two categories: those for and those against it.

I have received more than 7,000 letters from people who are against the treaty, and 46 from people in favor of the treaty.

Those who are against the treaty, I find, are again divided into two categories: those who are militant and well organized and are obviously channeled by organizations designed to put pressure on the Senators in the discharge of their responsibilities.

One man wrote me a letter and said:

I am in charge of organizing the correspondence coming to the Senate from northeastern Illinois, and I will not turn the spigot off until you stand up and say you will vote against the ratification of this treaty.

Other correspondence comes from citizens who are deeply disturbed, who have probing questions, and who are not motivated by anything other than their own consciences and their concern and interest for the well-being and security of the United States.

If the Senator from Kentucky does not mind, I should like to read a series of questions—some of which we have already discussed—that have been put to me and raised both in correspondence with me and in person by many citizens who have called on me.

The State of Illinois, like many other States of the country, has large ethnic groups that have come from Europe. Many of them have deep ties with other countries.

We have in Chicago the second largest Polish population of any city in the world. Chicago is the largest such city outside of Warsaw.

In Chicago we have large representative groups from every ethnic group, certainly from Eastern Europe.

These people are all deeply interested in this question. That is why my distinguished colleague, the senior Senator from Illinois, the minority leader, has

perhaps spent more time, energy, effort, and thought on this one question than he has on many others that have come before the Senate, certainly this year.

The first question concerns the experience of Americans traveling abroad. I can speak with some feeling on this subject, having traveled through Eastern Europe about this time last year and having been delayed in Riga for several hours by the authorities. During the course of that questioning, I wondered what recourse I would have, as an American citizen, if they decided to detain me. We do not even recognize the areas I was in, so that the situation presented peculiar problems.

Can the Senator from Kentucky answer this question: Why do we need a treaty to obtain prompt notification of the arrest of American citizens in the U.S.S.R. and quick consular access to these Americans? Can we not simply demand this treatment on the basis of reciprocity?

Mr. MORTON. To be effective, such a "demand" would have to imply that if we did not get satisfactory notification and access rights for our citizens, we would hold Soviet citizens incommunicado when charged with crimes in this country. Under U.S. law, we cannot do this.

Our bargaining position would be further weakened by the fact that there are 20 times more Americans who travel in the U.S.S.R. than Soviets who travel here. While several American visitors run afoul of Soviet law or the Soviet police each year, we know of few cases of Soviet visitors—as opposed to Soviet officials resident here—who have been arrested or detained here.

Of course, we have demanded prompt notification and access to Americans detained in the Soviet Union in the past and will continue to do so in the future. But experience has shown that these demands do not bring the results we need, and that is why this treaty was negotiated. Obviously, we are in a far stronger position if we can base our demands on agreed treaty provisions than if we can only appeal on the basis of reciprocity or "fairplay."

Mr. PERCY. Can the distinguished Senator from Kentucky answer this question: Do we not already have a valid agreement to protect American citizens in the U.S.S.R. in the 1933 Litvinov agreement? Why do we need a new one?

Mr. MORTON. One of the letters exchanged by President Roosevelt and Soviet Foreign Minister Litvinov when the United States recognized the U.S.S.R., in 1933 committed both sides to the immediate negotiation of a consular convention—a commitment only followed up 26 years later. In the meantime, the Soviet Government unilaterally promised Americans in the U.S.S.R. treatment not worse than that enjoyed by the most-favored-nation—specifically, Germany—under a 1925 German-Soviet treaty.

The operative portion of this Soviet commitment is now extinct. Even if it were still valid it would not be adequate to enable us to give Americans in the U.S.S.R. the protection they need.

The Litvinov agreement's promise of most-favored-nation treatment was tied

to the Soviet-German agreement of 1925, which contained specific guarantees of notification within 3 to 7 days and access "without delay." However, this treaty did not survive World War II, and prior to the signature of the United States-U.S.S.R. Consular Convention in 1964 there was no other Soviet treaty under which we could claim most-favored-nation treatment and obtain specific protections for Americans.

Even if the German treaty was still in force, and its provisions were applied to American citizens on a most-favored-nation basis, we would still need the United States-U.S.S.R. convention. The Soviets interpreted both the Litvinov agreement and the Soviet-German treaty as requiring notification and access only after the preliminary investigation, which can continue as long as 9 months. The United States-U.S.S.R. convention plugs up this loophole by specifying that both notification and access must be granted within 4 days from the time of arrest or detention.

Mr. PERCY. Would not the multilateral Vienna Convention on Consular Relations be a better vehicle for the regulation of United States-Soviet consular relations than the bilateral United States-U.S.S.R. Treaty?

Mr. MORTON. No, I do not believe it would, and three reasons are involved.

First, the Soviets have not signed the Vienna Convention, and we have no indication that they will do so. Therefore, it would not enter into force between the United States and the U.S.S.R. even if we ratified it.

Second, the limited immunities provisions of the Vienna Convention would not be adequate to protect American consular officers and employees whom we might send to the U.S.S.R.

Third, the Vienna Convention provisions on notification and access would not provide adequate protection for American travelers in the U.S.S.R. With no time limit spelled out within which notification and access must be granted, the Soviets could well continue to deny access to arrested Americans during the preliminary investigation—that is, for up to 9 months. In fact, the Soviets have interpreted treaties worded like the Vienna Convention in just this manner. The wording of the United States-U.S.S.R. convention eliminates this pitfall.

Mr. PERCY. I have received a number of comments from citizens of Illinois who ask, "Why should the Senate of the United States ratify this treaty when the Soviets have not?"

Is it true that the Soviet Union has not ratified the treaty; and if it has not, does the Senator from Kentucky have any assurance that it will ratify the treaty?

Mr. MORTON. The Soviets have not yet ratified this convention. It was we, not they, who proposed its negotiation, and they may expect us to act first for this reason. Also, it is not their practice to act first when dealing with Western governments. They have not ratified the consular conventions they have negotiated with the French, British, or Japanese, either, presumably because they are waiting for the other side to

make the first move. They handled the ratification of the Limited Test Ban Treaty in a similar manner.

We have no reason to believe that the Soviets will not ratify this agreement after we do, assuming that it is not altered by reservations or understandings.

Mr. PERCY. Another question that has been raised frequently is, "Why do we not demand some concessions from the Soviet Union before we ratify this treaty?" Can we get any concession—in Vietnam or elsewhere—in return for our ratification of this treaty?

Mr. MORTON. This is not a treaty which gives the Soviets something they badly want and gives us less in return. It was the U.S. Government—not the Soviet Union—which proposed the convention. It was the U.S. Government which took the initiative in pushing for negotiations. We believe we have more to gain from ratification than has the U.S.S.R. We can no more expect the Soviets to pay a price for our ratification than they can expect us to make an important concession to them in return for their ratification.

Carefully negotiated bilateral agreements such as the Consular Convention must stand or fall on their own merits, for they themselves are the result of give and take, not the beginning point for negotiations.

Mr. PERCY. In cases where American citizens have been arrested since this treaty was signed, the Soviets have not granted us notification and access within the time limits specified in the convention. Is this evidence to the Senator from Kentucky that bad faith exists on the part of the Soviet Union?

(At this point, Mr. HARRIS assumed the chair as Presiding Officer.)

Mr. MORTON. The Soviets are not obligated by the provisions of this treaty—nor are we—until both parties have ratified it and it enters into force. We have not claimed that the Soviets are obliged to notify us within 1 to 3 days of the arrest of an American citizen and grant access to him within 2 to 4 days before the treaty enters into force. We have stressed that, on the basis of reciprocity, we expect prompt notification and access, and in fact Soviet performance in this regard has improved since the treaty was signed in 1964. Contrast, for instance, the case of Marvin Makinen—1961—no notification; four visits allowed in 2 years—or Peter Landerman—1963—prompt notification but only three visits within a year and a half—with those of Craddock Gilmour and Buel Wortham—October 1966—notification within 5 days, access within 10, and seven times thereafter.

Mr. PERCY. Do the notification and access provisions of this treaty provide real protection for American citizens?

Mr. MORTON. I believe so. Of course, this convention does not clear American tourists with immunity from arrest. However, it does provide us with essential tools to protect them when they have been arrested or detained.

Unless we know an American is in difficulty abroad, we can do nothing to help him. Notification is essential to start the whole protective mechanism in mo-

tion in cases where an American citizen has been detained but no one on the scene is willing or able to tell the American Embassy about it. Further, the notification process brings a case to the attention of the highest levels of the foreign government quickly, where it can be considered from the point of view of foreign relations and national policy instead of from the narrow police point of view only.

I think there have been cases where American citizens were arrested in Russia and the Russian Government knew nothing about it in that they were local actions.

Access to arrested Americans in the U.S.S.R. is vital also. The consular officer has the opportunity to see whether the American is being treated decently and whether the investigation of his case is proceeding in accordance with Soviet law. More important, he can tell the American of the efforts which his Government and his friends and relatives are making to win his release. This kind of moral support can be very important to a prisoner in a foreign country, particularly in countries where standard interrogation techniques emphasize isolation from the outside world in an attempt to win cooperation. Also, the knowledge that an American consular officer will be repeatedly visiting a prisoner certainly has an effect on the attitude of the prison authorities.

Mr. PERCY. Mr. President, I have two remaining questions. This question has been asked of me many times, not in so much as a question, but as a statement which people have written to me.

It is their understanding that if we ratify this treaty, we would then be required to establish consulates at the request of all other Communist countries and grant their consular personnel immunity. Is this true or not?

Mr. MORTON. No. First, the ratification of this convention does not obligate us to permit Soviet consulates in the United States, let alone consulates of other Communist countries, not parties to the treaty.

Second, only one Communist country has consulates in the United States and a consular treaty with us giving most-favored-nation rights concerning immunity. This is Yugoslavia, which is not a member of the Warsaw Pact and whose independence we have supported over the years. While we have most-favored-nation provisions regarding immunity in a 19th century consular treaty with Romania, there are no Romanian consulates in the United States.

Third, ratification of this treaty with the U.S.S.R. in no way obligates us to negotiate consular treaties with other Communist states. If such treaties were to be negotiated, we would not be obliged to use the United States-U.S.S.R. Convention text as a model if we did not wish to. However, this gives us an element of choice.

Mr. PERCY. Lastly, on the floor of the Senate many questions have been raised with respect to subversion. I believe that this question is uppermost in the minds of many American citizens concerned about Soviet subversion in this country.

If we ratify this consular convention would we not be opening the floodgates to Soviet consulates—and Soviet subversion—throughout the hemisphere? How can we expect the weak nations of Latin America to resist Soviet pressures for consulates if we set the precedent?

Mr. MORTON. The countries of this hemisphere have never felt compelled to follow our lead in dealing with Communist countries where they have seen their interests as different from ours. More than 33 years ago we set an important precedent by recognizing the U.S.S.R. and establishing diplomatic relations. To date, only six of the 22 countries of Latin America and the Caribbean—including Cuba—have followed our lead. We understand that a Soviet consulate will be opened in Canada this year.

Mr. PERCY. Mr. President, I wish to conclude by indicating that I do not wish to leave any impression, by asking what might be termed antagonistic questions, that I am in any respect unfriendly to this treaty.

I have searched my mind and my conscience as thoroughly as I can, and I have resolved to stand foursquare behind the ratification of the treaty by the Senate. I have great regard for Senators who have chosen the other side. They are men of deep conviction and men who have been asking penetrating questions which should and must be answered.

I think the able and distinguished Senator from Kentucky provided answers to many of these questions that have disturbed not only many of my colleagues but many other loyal and dedicated American citizens. I commend him for the perception and thoroughness of his answers.

I think that today we are living in a world of great risk. I think we must decide whether we are going to move forward with the progress that is being made by many of our friends and allies in Europe or whether we are going to stand back; whether we are going to continue to wage cold war, or recognize that the Iron Curtain of the days of Stalin has already been perforated and can be perforated more effectively by interaction and contact with the Western World.

I have no fear that the power of our ideas and institutions is what the Soviets fear the most.

This opportunity that we now have to penetrate, to learn, to have our people proceed with greater safety as they travel about the Soviet Union, and to have our people learn more about what is going on in that part of the world will be the first step. I think that this will be the first of many steps that we must take.

The big question before us is whether the advantage is our way or the other way. This is the question I think all of us are conscientiously asking ourselves. I have answered that question to my satisfaction. I am convinced that the advantage is in favor of the free nations of the Western World and the United States. Before taking this position in Washington, I took it before the

Republican State Convention in Detroit 2 weeks ago.

I wanted to take that position in the Midwest, in a Midwestern city, whose roots go back to Western and Eastern Europe. Although there were some boos in that audience—and I do not respond to boos any better than anyone else—I have a deep conviction that as this debate is carried on, the overwhelming weight of evidence will be on the side of our taking this next step forward in an attempt to find a way to live in a dangerous world, and to live in it effectively and well. Mr. President, this step will strengthen the United States and everything we stand for and believe in.

I believe that we can say with conviction that we have nothing to fear by a dozen or 15 Soviets coming here: There are 1,000 Soviets here already. However, if we can take one institution, one idea to the world abroad—and I think this will help us do that—I believe it will help give freedom to people who desperately crave it. Next we should increase contacts with the people of Eastern Europe. The more contact we have with them, the better it will be for all the people who desire freedom.

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

Mr. PERCY. I yield.

Mr. JAVITS. I welcome the leadership which the Senator from Kentucky has taken in this matter. I hope that this is a good precursor for the future. The tradition of the Senate is that Senators lead on issues. The question of party regularity and party discipline, fortunately for the people of this country, is interpreted in that sense, especially on an issue of foreign policy. Bipartisanship developed on this side of the aisle under the inspired leadership of Arthur Vandenberg. It is, therefore, a source of tremendous satisfaction to me that a Senator of such skill and experience as the Senator from Kentucky, generally considered in the country to be moderate in his views, has taken the position he has upon this matter. The Senator from Kentucky inspires real confidence in the country by his espousal of this cause.

I, too, should like to address myself to the remarks made by the Senator from Illinois [Mr. PERCY]. It is not easy to come into this body as a new Senator and plunge immediately into the great affairs of the world, especially when one's colleague is the minority leader. But, we cannot keep quiet here. The Senator from Illinois represents, in part, 8 or 9 million people in his State—perhaps it is 10 million—and those people demand representation. To expect the conventions of the past to be observed, where a new Member is seen and not heard, is simply denying to constituents the representation to which they are entitled.

The Senator from Illinois [Mr. PERCY] is not a man of that kind. He came to the Senate to do a job in highest conscience, and he is doing it. I have been uplifted and I think that the country will be uplifted by the eloquence of his words and the depth of his understanding as a truly enlightened American business leader.

Speaking for myself, with leave of the Senator from Kentucky, let me say that there are three important points which stand out as discussed by the Senator from Kentucky, on which I should like to ask him some questions.

The first is on the question of immunity from all kinds of prosecution, which is unique in this treaty. Is it not a fact, I ask the Senator, that we are inclined to be myopic on this question? To give a relative example, when we talk about the veto being exercised by the Russians in the United Nations, is it not a fact, from the Senator's own experience, that this country would not have approved membership of the United States in the United Nations, or agreed to its charter, if the standing, permanent veto had not been incorporated therein?

Is it not a fact that we would not send our people into the Soviet Union, unless they had complete immunity, because we would be afraid that they would be picked up on some nonsensical charge—such as the Senator mentioned—and they could be put in jail for life.

Mr. MORTON. The Senator is correct on both observations. It is a fact that although I was not a Member of Congress at the time the United Nations Charter was adopted, the veto was included so that we could get it through the Senate. Any historian knows that to be a fact. It is also a fact that I would hate to recommend a constituent of mine going to Russia as a clerk, telephone operator, or secretary, to work in a consulate in any city in Russia without having the kind of immunity which is envisaged in this agreement.

Mr. JAVITS. I thank my colleague and I thoroughly agree with him.

The next thing I would like to ask him bears on this question: It is said that Russia is up to its armpits in Vietnam. They are. I have been challenged on the floor by the distinguished chairman of the Committee on Foreign Relations on this fact, but I still maintain that the overwhelming supply of sophisticated and large materiel of war going to North Vietnam is being sent there by the Soviet Union.

Mr. MORTON. The Senator is correct.

Mr. JAVITS. Their ships are in the majority traveling into Haiphong Harbor. We admit that. The argument is conveyed that we should not ratify this treaty until Russia ceases to aid North Vietnam.

I ask the Senator this question: Is it not a fact that in Korea, at the very time we were negotiating with the Chinese at Panmunjom, the fighting was going on all the time and American casualties were being incurred? But that did not deter us. Is it not a fact, too, that if North Vietnam offered to negotiate now, we would negotiate with them, even though there were no cease-fire?

Mr. MORTON. That is correct. I was in the State Department at the time the cease-fire on Korea was finally negotiated, and we suffered 90,000 casualties after we started negotiating. If we had said, "Oh, we are never going to talk to you until you do something about stopping the war," we would still be fighting there.

Mr. JAVITS. We are living in a crazy world, and I am willing to call it that; but, nonetheless, we have to live in it. If we expect, somehow or other, to come ultimately to an accommodation with these people who are, to use curbstone language, the most "nuts," we have got to meet some of the conditions that are realistic. If we say that the Russians have got to get out of helping North Vietnam or there will be no treaty, then on that basis there would have been no nuclear test ban treaty, no disarmament, there would not have been any Antarctic treaty, and there would be no treaty now. Neither would there be one on weaponry in outer space. We would have nothing. We would be proceeding on the same old treadmill, keeping on the restrictions which we would threaten to keep on until we could arrive at a stage where we could come to some kind of agreement.

Mr. MORTON. The Senator is correct. As the Senator from Illinois [Mr. PERCY] pointed out, we must, somehow, perforate the Iron Curtain. I think we are beginning to do it. We will come to an accommodation and an honorable peace in Vietnam, in my judgment, much sooner by taking the attitude, "All right, let us get together on some things that we can agree on," rather than saying, "We will wait and see. Until your position changes, or you quit fighting, we are not going to speak to you."

Mr. JAVITS. Another point I should like to ask my distinguished colleague is on the question of a detente with the Soviet Union. Does the Senator, in view of the history of this consular treaty, the length of time it has been negotiated, and the fact that we have this treaty on the "front burner," another one on the "back burner"—to wit, control of outer space with respect to weaponry; and yet a third one being readied on a nonproliferation treaty—and, I hope, many more being negotiated—does not the Senator feel that if we put the brake on now and stop on this one, we would be jeopardizing all the other things which might conceivably be done to bring some peace to this aching world; that the Russians would take it that the position of the United States had hardened against them, and so would Europe, because Europe is all for a detente and, therefore, that the United States might as well be counted out?

Mr. MORTON. I agree completely with the Senator from New York. If we put the brake on this one, it will put us back, in my judgment, 10 or 15 years back to the days of Stalin, back to the days when there really was an Iron Curtain that did not have any loopholes.

Mr. JAVITS. My final question is this: We are all adults. We are all over 21 years of age. Senators get elected and have to be reelected at given times. Yet, we are told that if we approve this treaty, it will mean that we are going down the road to becoming vulnerable to the Russians, they will overreach us, and we will approve everything they hand us including denuding us of the atomic bomb. Does the Senator really believe that this is any credible argument, and that a Senator like myself, the Senator from Illinois [Mr. PERCY],

and other Senators in the Chamber who are likely to vote for this treaty, and I hope and pray that they will—will be perfectly ready to stop this treaty, the next one, even on outer space, if we do not like what the Russians are doing?

Mr. MORTON. I intend to vote on each treaty that will be coming up, as long as I happen to be a Member of the Senate, without regard to how I may have voted on any previous treaty.

I have just become a member of the Committee on Aging. Thus, Senators can see what is happening to me. I do not know how long I will be in the Senate, but I am in on it now, and that question will be occupying a great deal of my time and a great deal of my thought—more so than it has in the past, let me say.

Mr. JAVITS. I thank my colleague very much for his answers. I should like to state that on those grounds disclosed by this colloquy, and the fine statement of the Senator from Kentucky and the Senator from Illinois, I shall vote for ratification of this treaty. I hope that the Senate will do so.

What is even more important than that, I hope that these questions and answers will go out to the country as reassurance—to wit, notwithstanding what the people may hear in opposition, that we have not lost our minds or our patriotism, that we understand what is at stake, what is involved, and that we are responsible for our reasons for thinking this way, against the views of the opposition, that we feel that this is the way in which to forward progress and peace.

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

Mr. MORTON. I am glad to yield.

Mr. HRUSKA. It was very gratifying to hear the very capable answers of the Senator from Kentucky to the questions propounded by the distinguished Senator from Illinois. We all know the Senator from Kentucky served with distinction and great competency in the Department of State, and we value his thoughts on so many of these questions. I was pleased to hear the question asked as to whether the notification and access provisions of this treaty provide real protection for American citizens.

I believe the Senator from Kentucky was present on the floor on January 31 when it was represented that this Consular Convention gives to American citizens arrested and jailed in Russia rights which are superior to those of citizens of Russia itself. Whether the Senator from Kentucky was present at that time or not, does he agree with the accuracy of that statement?

Mr. MORTON. I believe such a representation was made. I think I read it in the RECORD.

Mr. HRUSKA. This representation was made:

Under this convention he (an American citizen) would have more rights than Soviet citizens. He would be entitled to a lawyer, and entitled to be sprung from the pokey in 3 days. Who is more likely to be stuck in the pokey: 18,000 Americans traveling over there or 900 Russians over here?

Is that provided under the Consular Treaty? Is there anything that creates

or even assures that Americans jailed in Russia for any reason would receive rights superior to rights given to Russian citizens—which do not include the right to a lawyer, the right to a jury trial, the right to bail, or even prompt investigation or being charged with any specific crime, which can last for years or months?

Mr. MORTON. Nine months for Russian citizens, and, without this treaty, 9 months for American tourists.

Mr. HRUSKA. At any rate, where is the assurance that Americans would get rights not given even to Russian citizens?

Mr. MORTON. It may be that it will not work out that way in practice, but it might encourage Russian citizens to get better rights in court which they do not have at the present time, and which the American people have.

Mr. HRUSKA. May God speed the day, but there is no indication they are going to grant those rights to its citizens.

Mr. MORTON. I hope God may speed the day. I am enough of an optimist to think that the American Government as an example of government will prevail even behind the Iron Curtain.

Mr. HRUSKA. That the American system of jurisprudence will even prevail behind the Iron Curtain?

Mr. MORTON. I say, I am hopeful some day this will happen.

Mr. HRUSKA. I hope so, too.

Then a question was asked with respect to whether or not we do not already have a valid agreement to protect American citizens in the U.S.S.R. in the 1933 Litvinoff agreement, and why we need a new one.

May I ask the Senator, for clarification, has it been set forth that the Litvinoff agreement is operative and in existence?

Mr. MORTON. The Litvinoff agreement was based on the most favored nation clause, which had its basis in a 1925 treaty between Germany and Russia. That treaty between Germany and Russia became nonoperative after World War II—in fact, during the inception, I understand, of World War II, or at least after the inception of hostilities between Hitler's Germany and Russia. The Litvinoff agreement or exchange of letters between President Roosevelt and Foreign Minister Litvinoff, if my memory serves me correctly, did have its substance in the most favored nations agreement, and that went back to the 1925 treaty between Germany and Russia.

The Senator from Vermont [Mr. AIKEN] is present. He is a member of the Foreign Relations Committee. He can probably correct me if I am wrong, but I think that is the history of it.

Mr. HRUSKA. I have made diligent inquiry of the Department of State and was not able to get any specific answer as to the abrogation of the Litvinoff letters of 1933.

Mr. MORTON. The Senator can well understand that if the letters were based on a treaty which existed between Germany and Russia dated in 1925, this treaty arrangement ceased to exist after World War II began. Do not get me in the wrong position. Please do not have me defending the State Department. I

left the Department some years ago, and I am not going to be its advocate now. I will turn that job over to the senior Senator from Vermont [Mr. AIKEN], senior Republican member on the Foreign Relations Committee.

Mr. HRUSKA. My recollection is that the Litvinoff papers—and I may be remiss in not having my memory sharpened a little—

Mr. MORTON. I am sure the Senator's memory is much better than mine on this matter.

Mr. HRUSKA. But the Senator will probably remember that on November 16 a letter was sent by President Roosevelt to Mr. Litvinoff—

Mr. MORTON. Was that in 1934?

Mr. HRUSKA. No, 1933. The letter stated that the rights specified in the above paragraphs would be granted to American nationals immediately upon the establishment of relations between our two countries. It does not say anything about when they would start to negotiate or when the rights would be enjoyed and be granted to Americans.

I do not want to say that is the final word, but I do know that on several occasions the Department of State relied upon these letters, in more recent years, in saying that in addition to this reciprocity, there is this outstanding agreement on the part of the U.S.S.R. to accord those rights to American nationals and that therefore we are holding them responsible for this obligation.

Mr. MORTON. Yes; we have used that argument repeatedly in intervening for the release or prompt trial of fellow Americans. I think any Secretary of State would have been negligent if he had not used every possible means to try to get American nationals to the bar of justice promptly and see that justice prevailed. But that does not mean we necessarily had that right. The Senator has tried many lawsuits, and I am sure he has used every device he could. He is one of the most brilliant lawyers in this body, and I am sure he has used such devices in behalf of his client, even though he knew he had a bad case.

Mr. HRUSKA. It might seem strange that this convention is requested when we have an agreement virtually the same as the pending consular convention with respect to notification and access and it is ignored and not honored by the U.S.S.R., but now it is said we are going to enter into an agreement which has the same provision in it. Later in the debate I am sure this point will be brought out in more detail, but this point should be borne in mind and clarified. If it has not worked for 34 years in the past, there is no reason to think it will work for 30 years in advance.

With respect to the remarks made by the Senator from New York [Mr. JAVITS], that perhaps such a treaty may be a means to ease tensions, and that perhaps we can enter into some kind of arrangement for peace, I point out that only last October 15, the press reported that Mr. Brezhnev, the Soviet Communist Party leader, in a speech at a Soviet-Polish friendship meeting, said it would be vain to expect or to have any idea that our relationships on any score or at

any level between the U.S.S.R. and the United States could improve until the United States ceased hostilities in Vietnam. He called such hopes "a strange and persistent delusion." That is at strange variance with the idea that a treaty of this kind, which has been variously described as not very important, as innocuous, as insignificant, may be proof that we are making progress, in view of that flat and steely announcement made by Mr. Brezhnev.

Mr. MORTON. Mr. President, before I yield the floor, I wish to point out to the Senator page 162 of the hearings on this convention, which has a letter addressed to the distinguished chief of staff of the Committee on Foreign Relations, the Honorable Carl Marcy, signed by Douglas MacArthur II, which I think might cover some of the points we have debated. If I am factually in error, I apologize to the Senator.

Mr. HRUSKA. I am grateful for the reference, and if I am in error, I should like the record set straight.

Mr. MORTON. I am sure the Senator is not.

Mr. HRUSKA. I am more likely to be than the Senator from Kentucky.

Mr. MORTON. Mr. President, I ask unanimous consent that the letter appearing on pages 162 and 163 of the transcript of the hearings on the Consular Convention, signed by Douglas MacArthur II, our Assistant Secretary of State, addressed to the Honorable Carl Marcy, be printed at this point in the RECORD.

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

DEPARTMENT OF STATE,
Washington.

HON. CARL MARCY,
Chief of Staff, Foreign Relations Committee,
U.S. Senate, Washington, D.C.

DEAR MR. MARCY: Thank you for your letter of February 23, 1967, in which you pass on the Foreign Relations Committee's inquiry as to when and by what communication the "Litvinoff agreement" of 1933 was abrogated by the Soviet Union. Your reference presumably is to Foreign Minister Litvinoff's letter to President Roosevelt of November 16, 1933, in which the Soviet Union promised unilaterally to extend to American nationals the provisions for consular notification and access contained in the Soviet-German Agreement Concerning Conditions of Residence and Business and Legal Protection of October 12, 1925. I am attaching a copy of Mr. Litvinoff's letter which included the pertinent extracts from the Soviet-German Agreement of 1925.

The Soviet-German Agreement was never, to our knowledge, formally abrogated. It ceased to have effect, however, upon the outbreak of armed hostilities between the two countries during World War II, when each country withdrew its diplomatic and consular personnel. After the war, and the occupation and division of Germany, the pre-war Soviet-German Agreement was not revived. Instead the Soviet Union negotiated new Consular Treaties with both the Federal Republic of Germany and the so-called "German Democratic Republic"—neither of which contain any guarantees of consular notification or access to arrested nationals. I am attaching a copy of Article 17 of the Soviet Agreement of 1958 with the Federal Republic of Germany.

The post-war legal situation with respect to consular protection of American citizens

in the Soviet Union, prior to the 1964 signature of the U.S.-U.S.S.R. Consular convention now pending before the Senate, may thus be summarized as one in which there were no Soviet treaties in force to which the Litvinoff most-favored-nation pledge could attach. This was one of the reasons that persuaded the Department to negotiate the 1964 Convention, containing as it does clear and explicit guarantees of consular notification and access.

The Litvinoff pledge itself, for what it was worth, has also never been formally withdrawn. However Mr. Litvinoff's letter linked the Soviet pledge to the stated expectation that the two countries would "immediately" negotiate a consular convention on the same subject. As you know, this expectation was not fulfilled since no convention was negotiated to agreement until more than thirty years later. The Soviets have long been in the position plausibly to maintain that the Litvinoff pledge was merely an interim undertaking which lapsed upon the failure of the parties "immediately" to negotiate a consular convention.

The legal deficiencies of the "Litvinoff agreement" were among the reasons persuading the Department that the time had come to conclude a treaty containing clear and unequivocal provisions giving us the rights of notification and access in cases of Americans arrested in the Soviet Union. These provisions are essential if American citizens traveling in the Soviet Union are to be afforded the consular protection they deserve. The 1964 Consular Convention and its Protocol achieve this purpose by making it unambiguously clear that notification and access must be granted within four days from the time of arrest or detention of an American national and on a continuing basis thereafter.

If I can be of further assistance, please do not hesitate to let me know.

Sincerely yours,

DOUGLAS MACARTHUR II.

Assistant Secretary for Congressional
Relations.

Mr. HRUSKA. If the Senator from Kentucky will permit, could that include the letter addressed to Mr. Franklin D. Roosevelt and signed by Maxim Litvinoff, which begins also on page 163?

Mr. MORTON. Yes; I think that, too, should be included.

Mr. HRUSKA. Was that included in the Senator's offer?

Mr. MORTON. No; I did not request it, but I should be happy for the Senator's request to be complied with.

Mr. HRUSKA. Mr. President, I ask unanimous consent that the letter from Maxim Litvinoff, People's Commissar for Foreign Affairs, Union of Soviet Socialist Republics, addressed to Franklin D. Roosevelt, President of the United States, dated November 16, 1933, which appears at pages 163 and 201 of the transcript of hearings on the Consular Convention, together with President Roosevelt's reply of the same date, which appears at page 202, and the letter from Litvinoff to Roosevelt of the same date appearing at pages 200 and 201 of the transcript, be printed in the RECORD at this point.

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

WASHINGTON, November 16, 1933.

MR. FRANKLIN D. ROOSEVELT,
President of the United States of America,
The White House.

MY DEAR MR. PRESIDENT: Following our conversations I have the honor to inform you that the Soviet Government is prepared to include in a consular convention to be

negotiated immediately following the establishment of relations between our two countries provisions in which nationals of the United States shall be granted rights with reference to legal protection which shall not be less favorable than those enjoyed in the Union of Soviet Socialist Republics by nationals of the nation most favored in this respect. Furthermore, I desire to state that such rights will be granted to American nationals immediately upon the establishment of relations between our two countries.

In this connection I have the honor to call to your attention Article 11 and the Protocol to Article 11, of the Agreement Concerning Conditions of Residence and Business and Legal Protection in General concluded between Germany and the Union of Soviet Socialist Republics on October 12, 1925.

ARTICLE 11

Each of the Contracting Parties undertakes to adopt the necessary measures to inform the consul of the other Party as soon as possible whenever a national of the country which he represents is arrested in his district.

The same procedure shall apply if a prisoner is transferred from one place of detention to another.

FINAL PROTOCOL

Ad Article 11

1. The Consul shall be notified either by a communication from the person arrested or by the authorities themselves direct. Such communications shall be made within a period not exceeding seven times twenty-four hours, and in large towns, including capitals of districts, within a period not exceeding three times twenty-four hours.

2. In places of detention of all kinds, requests made by consular representatives to visit nationals of their country under arrest, or to have them visited by their representatives, shall be granted without delay. The consular representative shall not be entitled to require officials of the courts or prisons to withdraw during his interview with the person under arrest.

I am, my dear Mr. President,

Very sincerely yours,

MAXIM LITVINOFF,

People's Commissar for Foreign Affairs,
Union of Soviet Socialist Republics.

WASHINGTON, November 16, 1933.

MY DEAR MR. LITVINOFF: I thank you for your letter of November 16, 1933, informing me that the Soviet Government is prepared to grant to nationals of the United States rights with reference to legal protection no less favorable than those enjoyed in the Union of Soviet Socialist Republics by nationals of the nation most favored in this respect. I have noticed the provisions of the treaty and protocol concluded between Germany and the Union of Soviet Socialist Republics on October 12, 1925.

I am glad that nationals of the United States will enjoy the protection afforded by these instruments immediately upon the establishment of relations between our countries and I am fully prepared to negotiate a consular convention covering these subjects as soon as practicable. Let me add that American diplomatic and consular officers in the Soviet Union will be zealous in guarding the rights of American nationals, particularly the right to a fair, public, and speedy trial and the right to be represented by counsel of their choice. We shall expect that the nearest American diplomatic or consular officer shall be notified immediately of any arrest or detention of an American national, and that he shall promptly be afforded the opportunity to communicate and converse with such national.

I am [etc.]

FRANKLIN D. ROOSEVELT.

THE SOVIET COMMISSAR FOR FOREIGN AFFAIRS (LITVINOV) TO PRESIDENT ROOSEVELT

WASHINGTON, November 16, 1933.

MY DEAR MR. PRESIDENT: In reply to your letter of November 16, 1933, I have the honor to inform you that the Government of the Union of Soviet Socialist Republics as a fixed policy accords the nationals of the United States within the territory of the Union of Soviet Socialist Republics the following rights referred to by you:

1. The right to "free exercise of liberty of conscience and religious worship" and protection "from all disability or persecution on account of their religious faith or worship".

This right is supported by the following laws and regulations existing in the various republics of the Union:

Every person may profess any religion or none. All restrictions of rights connected with the profession of any belief whatsoever, or with the nonprofession of any belief, are annulled. (Decree of Jan. 23, 1918, art. 3.)

Within the confines of the Soviet Union it is prohibited to issue any local laws or regulations restricting or limiting freedom of conscience, or establishing privileges or preferential rights of any kind based upon the religious profession of any person. (Decree of Jan. 23, 1918, art. 2.)

2. The right to "conduct without annoyance or molestation of any kind religious services and rites of a ceremonial nature".

This right is supported by the following laws:

A free performance of religious rites is guaranteed as long as it does not interfere with public order and is not accompanied by interference with the rights of citizens of the Soviet Union. Local authorities possess the right in such cases to adopt all necessary measures to preserve public order and safety. (Decree of Jan. 23, 1918, art. 5.)

Interference with the performance of religious rites, in so far as they do not endanger public order and are not accompanied by infringements on the rights of others is punishable by compulsory labour for a period up to six months. (Criminal Code, art. 127.)

3. "The right and opportunity to lease, erect or maintain in convenient situations" churches, houses or other buildings appropriate for religious purposes.

This right is supported by the following laws and regulations:

Believers belonging to a religious society with the object of making provision for their requirements in the matter of religion may lease under contract, free of charge, from the Sub-District or District Executive Committee or from the Town Soviet, special buildings for the purpose of worship and objects intended exclusively for the purposes of their cult. (Decree of April 8, 1929, art. 10.)

Furthermore, believers who have formed a religious society or a group of believers may use for religious meetings other buildings which have been placed at their disposal on lease by private persons or by local Soviets and Executive Committees. All rules established for houses of worship are applicable to these buildings. Contracts for the use of such buildings shall be concluded by individual believers who will be held responsible for their execution. In addition, these buildings must comply with the sanitary and technical building regulations. (Decrees of April 8, 1929, art. 10.)

The place of worship and religious property shall be handed over for the use of believers forming a religious society under a contract concluded in the name of the competent District Executive Committee or Town Soviet by the competent administrative department or branch, or directly by the Sub-District Executive Committee. (Decree of April 8, 1929, art. 15.)

The construction of new places of worship may take place at the desire of religious societies provided that the usual technical

building regulations and special regulations laid down by the People's Commissariat for Internal Affairs are observed. (Decree of April 8, 1929, art. 45.)

4. "The right to collect from their co-religionists . . . voluntary offerings for religious purposes."

This right is supported by the following law:

Members of groups of believers and religious societies may raise subscriptions among themselves and collect voluntary offerings, both in the place of worship itself and outside it, but only amongst the members of the religious association concerned and only for purposes connected with the upkeep of the place of worship and the religious property, for the engagement of ministers of religion and for the expenses of their executive body. Any form of forced contribution in aid of religious associations is punishable under the Criminal Code. (Decree of April 8, 1929, art. 54.)

5. Right to "impart religious instruction to their children either singly or in groups or to have such instruction imparted by persons whom they may employ for such purposes."

This right is supported by the following law:

The school is separated from the Church. Instruction in religious doctrines is not permitted in any governmental and common schools, nor in private teaching institutions where general subjects are taught. Persons may give or receive religious instruction in a private manner. (Decree of Jan. 23, 1918, art. 9.)

Furthermore, the Soviet Government is prepared to include in a consular convention to be negotiated immediately following the establishment of relations between our two countries provisions in which nationals of the United States shall be granted rights with reference to freedom of conscience and the free exercise of religion which shall not be less favorable than those enjoyed in the Union of Soviet Socialist Republics by nationals of the nation most favored in this respect. In this connection, I have the honor to call to your attention Article 9 of the Treaty between Germany and the Union of Soviet Socialist Republics, signed at Moscow October 12, 1925, which reads as follows:

"Nationals of each of the Contracting Parties . . . shall be entitled to hold religious services in churches, houses or other buildings, rented, according to the laws of the country, in their national language or in any other language which is customary in their religion. They shall be entitled to bury their dead in accordance with their religious practice in burial-grounds established and maintained by them with the approval of the competent authorities, so long as they comply with the police regulations of the other Party in respect of buildings and public health."

Furthermore, I desire to state that the rights specified in the above paragraphs will be granted to American nationals immediately upon the establishment of relations between our two countries.

Finally, I have the honor to inform you that the Government of the Union of Soviet Socialist Republics, while reserving to itself the right of refusing visas to Americans desiring to enter the Union of Soviet Socialist Republics on personal grounds, does not intend to base such refusals on the fact of such persons having an ecclesiastical status. I am [etc.]

MAXIM LITVINOFF.

Mr. AIKEN. Mr. President, after listening to the debate, I am beginning to get a little worried for fear that the debate will result in the compilation of two lists of Senators—one a list of those who love or at least trust the people of the Communist world, and the other

made up of Senators who hate every Communist ever born, and will continue to hate them until they die, and who insist that America will be destroyed if we have anything to do with them.

In making up lists of those who would establish closer relations with Eastern Europe, and those who would do everything possible to destroy the governments of Eastern Europe, I find that there would be some rather unusual bedfellows.

On last October 20, it appears that 24 U.S. executives visited Eastern European countries, to seek to stimulate trade and to establish better feelings between Eastern Europe and the United States. I think we ought to know who those 24 business people were.

The expedition was organized by the late Henry Luce and his associates of Time magazine. At the time, the press noted that it was expected they would be received by heads of state and other officials. They were. They were wined and dined, and well treated, as I understand it, during their trip to Eastern Europe.

The first member of that group of businessmen mentioned in the report of October 21, 1966, is John L. Loeb, senior partner of Carl M. Loeb, Rhoades & Co. He said he was confident the trip could definitely further the administration's recently stated policy of increasing trade with Eastern Europe. The delegation, he said, planned to explore possibilities of expanding financial and commercial relations, and to develop better understanding of American industry.

Mr. President, the list of the executives who went on that trip intrigues me. In addition to Mr. Loeb they included the following:

John L. Atwood, president, North American Aviation, Inc.; Eugene N. Beesley, president, Eli Lilly & Co.; James H. Binger, chairman, Honeywell Inc.; William Blackie, chairman, the Caterpillar Tractor Co.; Edgar M. Bronfman, president, Joseph E. Seagram & Sons, Inc.; Joseph F. Cullman 3d, president, Philip Morris Inc., and Russell DeYoung, chairman, the Goodyear Tire & Rubber Co.

Also A. P. Fontaine, chairman, the Bendix Corp.; Henry Ford II, chairman of the board of the Ford Motor Co.; Keith Funston, president of the New York Stock Exchange; Gordon Grand, president, Olin Mathieson Chemical Corp.; John D. Harper, president of the Aluminum Company of America; Robert E. Ingersoll, chairman, the Borg-Warner Corp.; George A. Murphy, chairman, Irving Trust Co.; Robert S. Oelman, chairman, National Cash Register Co.; Frank Pace, Jr., president, International Executive Service Corp., and S. Warner Pach, president, Gillette Safety Razor Co.

Also Henry R. Roberts, president, Connecticut General Life Insurance Co.; Willard P. Rockwell, Jr., president, Rockwell-Standard Corp.; C. William Verity, Jr., president, Armco Steel Corp.; Leslie H. Warner, president, General Telephone & Electronics Corp.; Rawleigh Warner, Jr., president, Mobil Oil Corp., and Kendrick R. Wilson, Jr., chairman, Avco Corp.

In addition, there were traveling with those people Dr. Alexander Heard, chan-

cellor of Vanderbilt University, and Whitney Young, Jr., executive director of the National Urban League.

It may be said that this group traveled only to Hungary, Rumania, Czechoslovakia, Poland, and Yugoslavia. While that is true, Mr. Auer at that time pointed out that they had made two similar trips in the past, one to the Soviet Union in 1963 and another to southeast Asia—where there is a war going on now—in 1965.

All the participants paid their own way. The story will be found on pages 106 to 108 of the transcript of hearings on the consular treaty.

What puzzles me is are all these well-known businessmen, each of them heads of billion-dollar corporations, sympathetic to communism, or are they distrustful of the form of government which we have had here in the United States, which has permitted them to become the heads of billion-dollar corporations? It all does not make sense.

Of course, they went over there to make more business for themselves. In order to do that, they had to establish more friendly relations with these countries of Eastern Europe.

I just hope that when the lists are made of the people who sympathize with communism, or trust it, and those who hate it from the day they are born until the day they die, the names of these gentlemen will not be included in the list of sympathizers.

Mr. TALMADGE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MANSFIELD. Mr. President, I understand that the yeas and nays have been asked for and ordered on the pending amendment, the amendment of the Senator from Georgia.

The PRESIDING OFFICER. The Senator is correct.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a 30-minute time limitation on the pending amendment, the time to be divided equally between the distinguished Senator from Georgia [Mr. TALMADGE] and the Senator from Montana [Mr. MANSFIELD].

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

Mr. MANSFIELD. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Montana is recognized for 5 minutes.

Mr. MANSFIELD. Mr. President, in the absence of the distinguished chairman of the Committee on Foreign Relations, who is absent on official business at this time, I would like to make a few brief remarks in his behalf, and in my behalf as well, on Executive Amendment No. 1 as proposed by the Senator from Georgia [Mr. TALMADGE] yesterday.

The effect of the amendment would be to change the provisions in the convention which grant unrestricted immunity from the criminal jurisdiction of the receiving State to the consular officers and employees of the sending State in two respects. First, consular employees would no longer have any immunity from criminal jurisdiction. Second, consular officers, as distinguished from employees, would have immunity only for misdemeanors, but not for felonies.

May I raise this hypothetical question: Suppose there were an American official in the Embassy at Moscow. He would have diplomatic immunity, which would give him unrestricted immunity from criminal jurisdiction. But what would happen to him, if this amendment were agreed to, if he were transferred to a consulate in the Soviet Union? He would lose his unrestricted immunity and would be immune only for misdemeanors.

I do not see why there should be a difference between the protection enjoyed by a consular official and that enjoyed by a diplomatic official, especially in view of the fact that three decades ago we joined the two so that we now have a combined diplomatic and consular service in this country.

Mr. President, I believe that this amendment should be opposed for the following reasons.

In the first place, the amendment would make it impossible for the United States to open a consulate in the Soviet Union because, as the Department of State has stated in a memorandum which appears on page 138 of the hearings on the convention:

We would not send American officials or clerical employees to serve in the U.S.S.R. without this protection.

The memorandum makes it clear that the protection referred to is full immunity from criminal jurisdiction for both consular officers and consular employees and I am talking about American consular officers and American consular employees. This point is emphasized in a letter received today by Senator FULBRIGHT, chairman of the Committee on Foreign Relations, from the Assistant Secretary of State for Congressional Relations in which he stated:

Secretary Rusk has stated and I would like to repeat that we would not open a consulate in the Soviet Union, and send our consular officers and employees to such an office, without the protection of full criminal immunity.

In the second place, I understand that the Soviets would be unwilling to renegotiate the convention if Senator TALMADGE's amendment were agreed to, so that, in effect, the amendment would kill the treaty. The Assistant Secretary of State's letter to which I have referred previously said:

In our judgment an attempt at renegotiation would be fruitless and would result in there being no treaty.

As I have said before, I am convinced that the treaty is in the national interest and would naturally be opposed to any amendment which would result in there being no treaty.

In the third place, I would like to point out that the treaty was submitted to the

Senate on June 12, 1964, and then referred to the Committee on Foreign Relations. It has thus been before the committee for almost 3 years. There has been ample time, therefore, to submit amendments and reservations to the treaty.

Amendments and reservations should have been proposed while the treaty was under active consideration in the committee so that they could be examined thoroughly. In a matter as delicate and complicated as the convention we are considering, amendments should not be made in haste, at the last minute, and without serious consideration. The fact that an amendment is proposed at the final hour indicates to me that the true intent of the amendment is to defeat the treaty.

Finally, Mr. President, while none of us certainly wishes to denigrate the power of the Senate to amend a treaty or to attach reservations to it, the fact is that amendments or reservations require a majority vote, while advice and consent to ratification requires a two-thirds vote. When an amendment or reservation is proposed that is of such importance that it involves the life or death of the treaty, the effect of such an amendment or reservation is to make the two-thirds rule ineffective and to substitute for it a majority vote.

I ask unanimous consent to include in the RECORD a letter to the chairman of the committee, dated March 9, 1967, from William B. Macomber, Jr., Assistant Secretary of State for Congressional Relations.

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

DEPARTMENT OF STATE,

Washington, D.C., March 9, 1967.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I have been asked by the Secretary to reply to your letter of March 8, 1967 which requests our view on the amendment proposed by Senator Talmadge to the Consular Convention between the United States and the Soviet Union.

This amendment is, in effect, a demand for renegotiation of the Convention in such a way as to alter fundamentally the nature of Article 19, concerning the immunity of consular personnel from criminal jurisdiction. In our judgment an attempt at renegotiation would be fruitless and would result in there being no treaty. As Secretary Rusk has emphasized previously, we consider this treaty essential to obtaining rights we need for the protection of Americans travelling in the Soviet Union.

Moreover, we consider the immunity provisions as they are now set forth in Article 19 of the Convention to be in the best interest of the United States.

The adverse effect of this amendment would be twofold. It first would substitute for the full criminal immunity provision of Article 19(2) language often used in our earlier consular conventions, which in effect grants immunity to consular officers from the local jurisdiction only for misdemeanors. The second effect of this amendment would be to deny any immunity whatsoever to consular employees.

The Department of State strongly opposes this amendment. The matter of full immunity from Soviet criminal jurisdiction for our consular officers and employees is one of the important benefits of this Convention for the United States. Secretary Rusk has stated and I would like to repeat that we

would not open a consulate in the Soviet Union, and send our consular officers and employees to such an office, without the protection of full criminal immunity. The purpose of Article 19(2) is to protect our consular personnel from arbitrary Soviet pressures, whether they are motivated by the purpose of retaliation or otherwise.

If I can be of any further assistance to you, please let me know.

Sincerely yours,
WILLIAM B. MACOMBER, JR.,
Assistant Secretary for Congressional Relations.

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

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

Mr. MANSFIELD. I yield myself 1 minute.

Mr. PASTORE. Is it not fair to assume that, regardless of how one feels about this consular treaty, whether he is for it or against it, this amendment would be to the disadvantage of American nationals?

Mr. MANSFIELD. The Senator is correct.

Mr. PASTORE. They would be required to go to Russia and live in a closed society, whereas other nationals would come to this country in an open society.

Mr. MANSFIELD. The Senator is correct.

The protection we seek in this treaty for our consular officials would be done away with if a U.S. consulate were established in the Soviet Union. Under this treaty, however, so far as Soviet employees in a consulate in this country are concerned, they would continue to be given the full benefit of American law and protection of the Constitution. The treaty would not deprive them of this benefit and protection but our people in the Soviet Union would receive the same treatment that a Soviet citizen receives.

Mr. PASTORE. Also, in the case of a felony committed in our country, an individual is entitled to a hearing before a grand jury, before he is indicted and before he is brought to trial, and he must be given a trial by his peers. But now, by a reciprocal agreement, if we invoke this restriction as against, let us say, Russia, and we allow our nationals to go there and not have immunity in the case of a felony, they would not be entitled to grand jury hearings, they would not be entitled to an indictment, they would not be entitled to a judgment by their peers.

It occurs to me that while there may be a certain connotation to this amendment which would show that we do not want these Russians to come to this country and to be immune in the case of a felony, we are forgetting the reciprocity involved, which would outweigh the disadvantage experienced by American nationals serving in a U.S. consulate in Russia, who would be placed in a prejudiced position.

Mr. MANSFIELD. This feature should be of interest: If the Russians abuse the immunity provision of the convention, we may terminate the agreement on 6 months' notice, under article 30.

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

Mr. MANSFIELD. I yield.

Mr. AIKEN. I call attention to one example where the adoption of this amendment would be very much to the disadvantage of the United States.

The senior Senator from Rhode Island will recall that when we were in Moscow 3 years ago, we were very pointedly advised that photographing a bridge is a crime in Russia, whereas in the United States, you can photograph 10,000 bridges, and still it is not a crime. In many other instances, an action would be considered a crime in Russia which would be considered a misdemeanor or no violation at all in the United States.

If we adopt this amendment, we would forgo the protection for our people who go to Russia—protection which is afforded to Russians who come to the United States.

Mr. MANSFIELD. Mr. President, I shall yield myself 1 minute, and I wish to reserve the remainder of my time.

So far as I am concerned, the most important feature about this treaty is that it protects Americans in the Soviet Union—tourists as well as consular officials and employees. That is a feature we should always keep in mind.

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

Mr. MANSFIELD. I would rather withhold my time. Does the Senator desire 1 minute?

Mr. ALLOTT. A parliamentary inquiry—

Mr. MANSFIELD. I yield 2 minutes to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 2 minutes.

Mr. ALLOTT. Mr. President, I was not aware, at the time I left the floor, that a unanimous-consent agreement on time had been given.

I wish to join generally in the statement made by the distinguished majority leader and in the colloquy with the Senator from Rhode Island and the Senator from Vermont.

I have studied this matter interminably, as have many Senators, and at the moment I am not prepared to commit myself as being either for or against the Consular Convention.

As I view the Consular Convention, three arguments can be made in favor of it: one, the protection of our tourists and businessmen who go to Russia; two, the protection of the consulate and its employees; and, three, what other benefits may come from the establishment of a consulate in the Soviet Union.

It is my view of this matter that if we were to adopt this amendment, the Senate might just as well stop considering the Consular Convention, because if we would derive one thing from it, it would be the protection of our own people in the Soviet Union. To put the matter another way, it would be unthinkable that we would send people to a consulate in the Soviet Union and make their immunity apply only to what is recognized as a misdemeanor in this country.

I am not prepared at this moment to

make a commitment on the convention; but if we are to receive anything from the convention, we must have complete immunity as a part of it. Therefore, I urge Senators not to vote for this amendment.

The PRESIDING OFFICER. Who yields time?

Mr. TALMADGE. I yield myself 5 minutes.

Most of the debate today on the Consular Convention has centered around the merits and demerits of the treaty. I agree that the treaty does have some advantages. I agree that under certain conditions it ought to be ratified by the Senate. But let us keep the real issue in perspective. If Senators will turn to page 10 of the message from the President of the United States transmitting the convention, they will find that article 19, paragraph 2, reads:

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.

Mr. President, this is the first consular convention in the entire history of the Republic in which total immunity has been granted to consular officers. In 1790, during the administration of President Washington, immunity was granted to embassy officers or officials who are located in the capital of the receiving state and who are dealing with the day-to-day diplomatic questions that affect their countries. But never before in the history of our Republic have we granted immunity to consular officers.

Who are the consular officers and employees? They are persons who are located in Atlanta, Ga.; in Providence, R.I.; in Cleveland, Ohio; in Jacksonville, Fla.; and who are there to deal with economic matters so as to promote the interests of their countries.

This convention proposes to give them the same immunity that ambassadors and members of ambassadorial staffs have.

Note that the language is "consular officers and employees." The immunity that would be granted is absolute, complete, and total. It would affect the criminal laws of all 50 States and every criminal statute of the entire United States of America.

How broad is this provision? It is broad enough so that a janitor in a consular office could assassinate a President of the United States, and what would be his punishment? All we could do would be to bid him farewell. We could not punish him, but only bid him farewell. We could declare him to be *persona non grata*.

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

Mr. TALMADGE. I yield.

Mr. PASTORE. But in terms of reciprocity, if we sent one of our nationals to the Soviet Union and he were accused of assassinating Kосygin, he would have as much immunity there as a Russian would have immunity here.

The point that I make is that whatever we give, we receive, as well. If I were to be tried for a crime or were to be accused of a crime in Russia—

Mr. TALMADGE. I am not prepared to yield for a speech. I am speaking on limited time.

Mr. PASTORE. Would the Senator not agree that if I were to be accused of a crime, I would rather be accused in the United States than I would in Moscow?

Mr. TALMADGE. I will agree with that; certainly.

Mr. PASTORE. If I were—

Mr. TALMADGE. I do not yield for a speech. The contention of the Senator from Rhode Island is absolutely correct. But I would point out that the U.S. embassy officials and consular officers of the United States of America do not go to other countries to engage in criminal activity or in treason. Crime is not an instrument of policy of the United States of America. Crime is an instrument of policy of the Soviet Union.

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

Mr. TALMADGE. I will yield for a question only.

Mr. PASTORE. Yes. Is it not true that although our embassy personnel may not go to Russia with that motive, they could be charged wrongly with that activity, and that that is what we are trying to protect them against?

Mr. TALMADGE. The Senator is correct, but I do not agree that after almost 200 years of the history of our Republic we should select the Soviet Union for this grant of total and complete immunity. For the record shows that they have used every one of their offices, whether embassy or consular offices, for espionage and subversion. I am not in favor of granting such complete and total immunity to the Soviet Union.

Under our most favored nation provision every other country on the face of the earth that had a provision that contained the most favored nation treatment could request complete immunity if we sign this convention.

Imagine what it would mean to have consular officials of the Soviet Union throughout Latin America and throughout the world with total and complete grants of immunity. They would have a license to engage in espionage worldwide.

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

Mr. TALMADGE. Mr. President, I yield myself 5 additional minutes.

I do not need to tell the Senate the long history that the Soviet Union has had in this country, with us expelling their embassy officials for espionage.

As a matter of fact, in 1948, Russian consular officials were forcibly holding Oksana Kasenkina, a refugee, against her will in the New York consulate office and in order to escape she was forced to jump from the third floor of the consulate.

When they did that, we expelled their consular general and they closed their three consulate offices in the United States.

In conclusion, I wish to say that I am not trying to kill this treaty. It has many provisions which I think are desirable, but I cannot, for the life of me, understand why we should grant total, complete, and absolute immunity.

These consular officers would be scattered throughout the United States, could assassinate, murder, torture, commit treason, and rape with absolute impunity. All that we could do would be to declare them to be *persona non grata* and send them home.

I think that the amendment should be agreed to.

Mr. MANSFIELD. Mr. President, will the Senator yield me 3 of his minutes?

Mr. TALMADGE. I yield 3 minutes to the Senator from Montana.

Mr. MANSFIELD. I yield 2 of those minutes to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I would rather vote against the treaty than accept this amendment and vote for the treaty with the amendment in it.

Russia could pass a law tomorrow saying that whoever goes by Lenin's tomb and does not genuflect is guilty of a felony. That passerby could be an American and he could be tried under Russian law, and he could go to jail for 10 years under Russian law, and there is nothing we could do about it.

The reciprocity that it is involved should be considered. It is true that we are taking a risk by giving immunity to all Russian nationals who are sent here and that our only alternative would be to send them back to Russia *persona non grata*.

At the same time it must be realized that we are receiving as much as we are giving; and we are giving protection to Americans who go there and could be charged under Russian law with a felony under circumstances that we in this country would consider ridiculous.

We are buying safety for Americans who go to Russia. That is why I am against this amendment.

The statement of the Senator from Georgia is true when he said that they could come here, commit murder, and have immunity; but by the same token we could go there and have immunity. The argument is made that we do not go there for that murderous purpose. That is true, but we could be charged with that purpose, and that is what we are trying to protect our nationals against.

As far as being treated in an open society as an American as against being treated as an American in a closed society, like Russia, I would take my chances on this immunity and say that it is to the advantage of American nationals.

Mr. MANSFIELD. Mr. President, I yield myself the remainder of the time.

Mr. President, reference has been made to the Kasenkina case. She was not a refugee. She was an employee of the Soviet consulate in New York.

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

Mr. MANSFIELD. I yield.

Mr. TALMADGE. But she was trying to escape and get asylum.

Mr. MANSFIELD. Yes, but she was an employee of the Soviet consulate there, teaching officials of the consulate.

If that had been an American consulate in the Soviet Union, and the same thing had happened there, I would have

wanted the officials of the American consulate to go down and act in the same way in the Soviet Union that the Russian officials acted in New York.

Mr. President, a great deal has been said about the grant of unrestricted immunity from criminal jurisdiction to consular officers and employees. May I repeat at this point a portion of the remarks made by the distinguished Chairman of the Committee on Foreign Relations on the floor of the Senate on March 7. He said:

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, as 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.

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. Like any Soviet official assigned to the Soviet embassy in Washington who committed espionage, he could only be expelled.

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.

Mr. TALMADGE. Mr. President, I yield myself such time as I may require.

Section 2 of article XIX was inserted in the treaty at the express and urgent demand of the Soviet Union.

This is the first time in the history of our Republic that it has ever made a consular convention with any country at a time when the Soviet Union is furnishing supplies to maim and kill half a million Americans in Southeast Asia.

It strikes me as being a most inopportune time to grant a proposal of total, absolute, and complete criminal immunity to the Soviet Union. It will be the only nation on the face of the earth to whom such a provision will have been granted.

What has happened since we made this convention with the Soviet Union?

A similar consular convention was

negotiated with Great Britain. What happened?

Something happened to a British officer named Burke in the Soviet Union, and the British have not yet ratified the consular convention.

A similar consular convention was negotiated with Japan. The Japanese have not yet ratified this convention.

This is the first convention with any nation on the face of the earth, coming before the Senate this afternoon, to grant total, complete, and absolute criminal immunity to a Soviet consular officer and his staff, even to the janitors.

Mr. President, I do not believe that the Senate should be stampeded into any such position, despite the proposal of the State Department that they never want anything which they handle changed in any way.

They do not realize that the responsibility on the Senate constitutionally is to advise and consent.

That is what I am seeking to do here today, to advise and consent.

I am seeking to advise the State Department that it should not give janitors in consular offices in the Soviet Embassy freedom to assassinate the President of the United States, and then our only recourse would be to bid him farewell when we send him back to the Soviet Union.

Mr. President, I yield back the remainder of my time.

Mr. MANSFIELD. Mr. President, will the Senator from Georgia yield briefly?

Mr. TALMADGE. I yield.

Mr. MANSFIELD. What the distinguished Senator from Georgia has said about the Japanese and British consular conventions is correct. What the Senator did not say was that those consular conventions, if and when ratified, will extend far beyond the convention now before the Senate, because it is my understanding—and I stand subject to correction—that it includes families of consular officers as well.

Mr. TALMADGE. I do not know. I would accept the Senator's word. He is on the committee, and I am not.

Mr. MANSFIELD. Let me say that in response to the question inherent in the—

The PRESIDING OFFICER. The Chair interposes to ask the Senator from Georgia whether he will withhold his request to yield back the remainder of his time.

Mr. TALMADGE. Yes, Mr. President, I do.

Mr. MANSFIELD. Let me say to the Senator from Georgia, first, that I am deeply grateful to him for his customary courtesy and consideration. The question inherent in this body on voting was raised in committee. In reply to a question raised by the Senator from Ohio [Mr. LAUSCHE], here is Secretary of State Rusk's answer:

Because when we look at this proposal—

Full immunity, that is— and look at the reciprocal advantages itself for having the same arrangements for our people in the Soviet Union, we felt that this would be a constructive thing to do from the point of view of our own interest; otherwise, we would have said no, let us not have any consular convention.

Thus, I think this is an important question which has been discussed in part in the committee.

Mr. TALMADGE. If the Senator will yield at that point, I am not trying to say that the Soviet Union should not have consular officers in this country. I merely say that they and their staffs and employees should not have total and absolute criminal immunity.

Mr. MANSFIELD. But the Senator would agree that this is a reciprocal proposal which would apply to our people in the Soviet Union on the same basis, would he not?

Mr. TALMADGE. It applies to both, but the Soviets use crime, torture, assassination, and treason as instruments of national policy. Our Government does not.

Mr. MUNDT. Mr. President, will the Senator from Georgia yield?

Mr. TALMADGE. Mr. President how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. TALMADGE. I am happy to yield 1 minute to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 1 minute.

Mr. MUNDT. In support of the persuasive arguments made by the Senator from Georgia, let me say that it would be a terrific indictment of the State Department and our negotiators if all the advantages attributed to this kind of immunity actually obtained as described by the Senator from Rhode Island [Mr. PASTORE], because our negotiators did not ask for them. They were forced on us by the Russians. Thus, if, in fact, all these benefits will accrue, I think that we must look at the whole treaty with a jaundiced eye because our negotiators badly let us down. During years of negotiation, they never asked for this immunity until, finally, they yielded to pressure by the Soviets, and they put it in.

Quite obviously, the Soviets must feel that there is some advantage to be gained here, or they would not have insisted on it.

The PRESIDING OFFICER. All time has now expired.

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

The PRESIDING OFFICER. All time on the amendment has now expired.

The question is on agreeing to the amendment.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant clerk proceeded to call the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Maryland [Mr. BREWSTER], the Senator from New York [Mr. KENNEDY], the Senator from Washington [Mr. MAGNUSON], the Senator from Oregon [Mr. MORSE], the Senator from Maine [Mr. MUSKIE], and the Senator from Mississippi [Mr. STENNIS] are absent on official business.

I also announce that the Senator from Nevada [Mr. CANNON], the Senator from Pennsylvania [Mr. CLARK], the Senator

from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. GORE], the Senator from Indiana [Mr. HARTKE], the Senator from Ohio [Mr. LAUSCHE], the Senator from Florida [Mr. SMATHERS], and the Senator from Ohio [Mr. YOUNG] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. BREWSTER], the Senator from Washington [Mr. MAGNUSON], the Senator from Oregon [Mr. MORSE], and the Senator from Ohio [Mr. YOUNG] would each vote "nay."

On this vote, the Senator from Nevada [Mr. CANNON] is paired with the Senator from New York [Mr. KENNEDY]. If present and voting, the Senator from Nevada would vote "yea," and the Senator from New York would vote "nay."

On this vote, the Senator from Ohio [Mr. LAUSCHE] is paired with the Senator from Pennsylvania [Mr. CLARK]. If present and voting, the Senator from Ohio would vote "yea," and the Senator from Pennsylvania would vote "nay."

On this vote, the Senator from Mississippi [Mr. STENNIS] is paired with the Senator from Louisiana [Mr. ELLENDER]. If present and voting, the Senator from Mississippi would vote "yea," and the Senator from Louisiana would vote "nay."

Mr. KUCHEL. I announce that the Senator from Massachusetts [Mr. BROOKE], the Senator from Kentucky [Mr. COOPER], and the Senator from Wyoming [Mr. HANSEN] are absent on official business.

The Senator from Illinois [Mr. DIRKSEN] is absent because of illness.

The Senator from Colorado [Mr. DOMINICK], and the Senator from Vermont [Mr. PROUTY] are necessarily absent.

If present and voting, the Senator from Massachusetts [Mr. BROOKE], the Senator from Kentucky [Mr. COOPER], the Senator from Illinois [Mr. DIRKSEN], and the Senator from Colorado [Mr. DOMINICK] would each vote "nay."

The result was announced—yeas 26, nays 53, as follows:

	[No. 58 Leg.]	
	YEAS—26	
Bible	Gruening	Mundt
Byrd, Va.	Hill	Murphy
Byrd, W. Va.	Holland	Russell
Cotton	Hollings	Spong
Curtis	Hruska	Talmadge
Dodd	Jordan, Idaho	Thurmond
Eastland	Long, La.	Tower
Ervin	McClellan	Williams, Del.
Fannin	Montoya	
	NAYS—53	
Aiken	Hickenlooper	Moss
Allott	Inouye	Nelson
Anderson	Jackson	Pastore
Baker	Javits	Pearson
Bayh	Jordan, N.C.	Pell
Bennett	Kennedy, Mass.	Percy
Boggs	Kuchel	Proxmire
Burdick	Long, Mo.	Randolph
Carlson	Mansfield	Ribicoff
Case	McCarthy	Scott
Church	McGee	Smith
Fong	McGovern	Sparkman
Fulbright	McIntyre	Symington
Griffin	Metcalf	Tydings
Harris	Miller	Williams, N.J.
Hart	Mondale	Yarborough
Hatfield	Monroney	Young, N. Dak.
Hayden	Morton	
	NOT VOTING—21	
Bartlett	Cannon	Dirksen
Brewster	Clark	Dominick
Brooke	Cooper	Ellender

Gore	Lausche	Prouty
Hansen	Magnuson	Smathers
Hartke	Morse	Stennis
Kennedy, N.Y.	Muskie	Young, Ohio

So Mr. TALMADGE's amendment was rejected.

The PRESIDING OFFICER. Are there further amendments?

If there are no further amendments, is there objection to the treaty being considered as having passed through its various parliamentary stages up to and including the presentation of the resolution of ratification?

Mr. MUNDT. Will the Chair yield for a parliamentary inquiry?

The PRESIDING OFFICER. The Senate will state it.

Mr. MUNDT. The Senate has always been so slow to legislate and so quick to ratify treaties that we are not as familiar with the rules on treaties as we are on legislation. So, although no Senator has suggested, to me at least, that he has other amendments to propose which are not in the form of reservations, I think it might be appropriate, Mr. President, if the Chair inquired now, while we have so many Senators present, whether there is anyone else who wishes to offer such an amendment.

The PRESIDING OFFICER. Are there further amendments to be offered?

Mr. MANSFIELD. Mr. President, since apparently there are no further amendments, it is my understanding that we must reach the point of presentation of the resolution of ratification before reservations become eligible for consideration.

The PRESIDING OFFICER. The Senator is correct. Reservations and understandings are not eligible for consideration until after the presentation of the resolution of ratification.

Mr. MUNDT. If we now agree that there are no further amendments, that will not prevent any Senator from later offering a reservation about which we may not have been informed up to this point?

The PRESIDING OFFICER. No further amendments would be in order. The Senator is correct, reservations would be in order.

Mr. MUNDT. That is why I suggested that the Chair inquire whether there were any further amendments. If there are not, I would see no objection to proceeding with the presentation of the resolution of ratification.

Mr. HRUSKA. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HRUSKA. Is there any urgent need for obtaining this unanimous consent at this time? In deference to other Senators who may not be present, or who may wish time, overnight, to decide whether to offer an amendment, would it not be well, in the absence of urgent need, to defer this unanimous-consent request?

The PRESIDING OFFICER. The Chair has simply laid the question before the Senate, because reservations and understandings would not be in order until a resolution of ratification has been presented and reported to the Senate. The decision as to whether to move to

that stage is a matter of policy over which the Senate has control.

Mr. HRUSKA. Mr. President, I should just like to observe that if there is anyone who does wish to submit an amendment, he would be foreclosed from now on; this is a substantial right in a very important matter, and I just wonder if action on the unanimous-consent request could be delayed until a future time.

Mr. MANSFIELD. Mr. President, the purpose of the request was to follow the regular procedure which has been followed many times before. The question has been raised, and inquiries have been made privately among Senators. There has been no response to the question raised by the Presiding Officer, the distinguished Senator from Oklahoma, as to whether there were further amendments, and it would just be in the interests of orderly procedure to move forward. Nobody's rights are foreclosed. We have to reach this point before resolutions of reservations become eligible for consideration; and the Senator from Maine, the Senator from South Dakota, and others who have reservations and understandings pending or might wish to offer a resolution of reservation would be foreclosed from having such matters considered until this point is reached.

Mr. HRUSKA. With that explanation, Mr. President, I have no objection.

The PRESIDING OFFICER. There being no objection, the convention will be considered as having passed through its various stages up to and including the presentation of the resolution of ratification, which the clerk will now state.

The assistant legislative clerk read as follows:

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the 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 (Executive D, Eighty-eighth Congress second session).

Mr. MUNDT. Mr. President, for the information of the Senate, I have sent to the desk today two reservations, which will be printed and on the desks of Senators tomorrow morning. I have been advised by the distinguished senior Senator from Maine [Mrs. SMITH] that she has sent to the desk today an amendment in the form of an understanding to the resolution of ratification, which will also be relevant, for consideration at this point, and which will be printed and on the desks of Senators tomorrow morning.

The PRESIDING OFFICER. What is the will of the Senate?

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

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

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MESSAGE FROM THE PRESIDENT

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

INVESTMENT TAX CREDIT ON MACHINERY AND EQUIPMENT—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 81)

The PRESIDING OFFICER. As in legislative session, the Chair lays before the Senate a message from the President of the United States on the investment tax credit on machinery and equipment. Without objection, the message from the President will be printed in the RECORD, without being read, and will be appropriately referred.

The message from the President was referred to the Committee on Finance, as follows:

To the Congress of the United States:

On September 8, 1966, I asked the Congress to suspend temporarily the 7-percent investment tax credit for machinery and equipment and the tax benefits of accelerated depreciation on buildings.

That suspension was specifically designed to relieve excessive pressure on the overheated capital goods industries and the resulting strain on our financial markets. My economic advisers and I believed that the measures then proposed would relieve the acute inflationary pressures of the capital boom on the capacity of our machinery producers, the supplies of skilled workers, interest rates, and the availability of credit for private homebuilding.

The Congress promptly enacted the legislation. The legislation provided for automatic restoration of these special tax provisions on January 1, 1968. At the time I signed the bill into law, I stated:

If . . . any earlier reinstatement would be appropriate, I shall recommend prompt legislative action to accomplish that result.

In enacting the law, the Congress and the administration assumed the obligation to terminate this selective fiscal restraint and restore these tax incentives as soon as changes in the situation justified such action. The reports to the Congress of both the House Ways and Means Committee and the Senate Finance Committee stated:

If military requirements in southeast Asia should decrease before January 1, 1968, or if for some other reason it should become apparent that suspension of the investment credit and suspension of the use of the accelerated depreciation methods with respect to buildings are no longer necessary

to restrain inflation, the Congress can promptly terminate the suspensions. The Administration has also indicated that it would recommend terminating the suspension period before January 1, 1968, under such conditions.

In appearing before the Senate Finance Committee, the Secretary of the Treasury testified:

The Administration will be alert to any change in the situation and will be prepared to recommend terminating the suspension period before January 1, 1968, if a change in circumstances makes that at all possible, and I would hope that the Congress would, in turn, be willing to entertain such a recommendation.

When I signed the bill last fall, I listed clearly what my economic advisers and I expected the legislation to accomplish. I said it would help "restore more normal interest rates and ease tight money and credit conditions; free funds and resources for homebuilding and other essential uses; trim down excessive backlog of machinery orders; curb upward pressures on prices and costs of capital goods; guard against a needless repetition of the old pattern of boom and bust in capital spending; and improve our current balance-of-payments positions."

In the 6 months since Congress received the temporary suspension legislation it has already effectively done the job we hoped it would do.

INTEREST RATES

Since last September, aided by action of the Federal Reserve Board, interest rates have fallen dramatically: 3-month Treasury bills—down 22.2 percent; long-term Treasury securities—down 9.3 percent; new corporate Aa bonds—down 12 percent; new municipal bonds—down 15.1 percent.

FUNDS FOR HOMEBUILDING

Funds are again flowing into our thrift institutions. Savings and loan associations—our key mortgage lenders—accumulated funds at an annual rate of only \$100 million last spring and summer. Subsequent to our action last September, there has been a very sharp rise in their accumulation of funds. From October 1966 through January 1967, their accounts grew at an annual rate of \$8 billion.

Mortgage interest rates have started to come down, and new housing starts have now risen for the last 3 months in a row.

BACKLOGS OF MACHINERY ORDERS

Last September, new orders for machinery and equipment were 18 percent higher than a year earlier, and order backlogs had grown 28 percent over that period. Order backlogs for machine tools were particularly large.

Orders for machinery and equipment have declined steadily since September, by a total of 7 percent. Order backlogs have leveled off, and in January actually declined for the first time since June 1963. For machine tools, backlogs have fallen substantially, as shipments exceeded orders by 17 percent in December and January.

PRESSURES ON PRICES AND COSTS OF CAPITAL GOODS

The machine industry had been straining their capacity—running close to 100

percent of maximum use—in August 1966. Between August and January the average utilization rate of capacity has declined to a healthier and more efficient rate. For makers of electrical machinery, the decline is from 97 percent to 91.5 percent.

Acute shortages of skilled labor, that plagued the machinery industries last spring and summer, are gradually disappearing.

GUARDING AGAINST BOOM AND BUST

In 1965, plant and equipment spending rose 16 percent. In 1966, it rose 17 percent. That was an unsustainable pace. At that rate, the capital boom was headed for a bust. Now, the latest survey of investment plans for 1967, conducted by the Department of Commerce and the Securities and Exchange Commission, shows a modest increase of less than 4 percent. That is a sustainable pace of advance.

BALANCE OF PAYMENTS

During the first three quarters of 1966, imports of capital equipment soared an average of 14 percent a quarter. In the fourth quarter of 1966 the rise was only 3.9 percent, and this partly reflected deliveries against earlier orders. Now that domestic producers can take care of domestic demands, this extra drain on our balance of payments should be alleviated.

On the basis of this evidence, it is clear that the investment credit and accelerated depreciation, consistent with our promise and in justice to our society, should now be safely restored. Although the demand for capital goods continues to be strong and remain at record levels, my Council of Economic Advisers informs me that it no longer threatens to strain our growing ability to produce.

In fulfillment of the commitment made by this administration as well as the Congress at the time we asked that these tax incentives be suspended, and in accordance with the strong recommendations of my Council of Economic Advisers, the Secretary of the Treasury, the Secretary of Defense, and the Director of the Budget, I recommend immediate and prompt reinstatement of the 7-percent investment tax credit and accelerated depreciation.

I recommend restoration of these incentives effective today, the date on which legislation will be introduced in the Congress.

I urge the Congress to act promptly on this legislation without delay so that there will be no uncertainty or doubt in our free enterprise community.

In doing so, the Congress and the administration can show the country and the world once again that we can and will work together for stable prosperity in our growing and free economy.

LYNDON B. JOHNSON.

THE WHITE HOUSE, March 9, 1967.

Mr. CARLSON. Mr. President, I commend the President of the United States for the action he has just taken on the 7-percent investment tax credit and accelerated depreciation.

I have not read the message, but I understand that it will reinstate the legislation after a certain date.

I stated last fall that this was an unfortunate move to be taken by the administration and Congress. I have prepared a speech on the matter and a bill for introduction this week to reinstate the investment credit and accelerated depreciation at the earliest possible date.

Mr. President, I ask unanimous consent, as in legislative session, that my speech and a copy of the bill that I had expected to introduce be printed at this point in the RECORD.

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

STATEMENT BY SENATOR CARLSON

The senior Senator from Kansas was one of the staunchest advocates of the investment tax credit which was enacted into law as part of the Revenue Act of 1962. I felt that the investment credit was an essential element in any program to stimulate modernization of U.S. industry and to equalize competition between U.S. products and those of foreign manufacturers.

The tremendous aid and assistance programs of the United States after World War II brought a rapid reconstruction of the war-devastated economies of the major industrial countries in Europe and of Japan. With U.S. money and technical assistance, foreign industries were able to modernize to a point where they far surpassed our own companies in newness of equipment and buildings.

As a result, U.S. products suffered in competition in the world market and our balance of payments suffered accordingly.

To redress this situation, the investment credit, a credit against taxes equal generally to 7 percent of the cost of the new investment, was adopted and was to be of great benefit to U.S. business, stirring a new era of modernization and technological change. However, mounting inflationary pressures in 1965 and 1966 prompted the Johnson Administration to propose a suspension of the investment credit along with a suspension of the methods of accelerating depreciation of property. The suspension of the investment credit and accelerated depreciation was advocated by the Administration as necessary to dampen these inflationary pressures. From the moment the suspension of these tax incentives was first proposed, I expressed my opposition to it. I voted against the suspension bill in the Senate Finance Committee and on the Senate floor. My opposition to the measure was predicated on several grounds.

First of all, when the investment credit became law in 1962, assurances were given to business that it was to be a permanent part of our tax structure, that it was not to be used as a spigot to be turned on and off as the economic situation of the day demanded. But the Administration did not keep its word. At the end of last summer, the President decided the incentives must be suspended. I believe that when any segment of the American public relies on the Government's assurance that a specific policy will be maintained, the Government has a moral obligation to keep that policy in effect.

Further, though, I thought the suspension would not do what the Administration claimed it would do, immediately reduce inflationary pressures, but instead would contribute to weakening the economy. The lag between the time that the decision to invest was made and the time when the credit could actually be taken was of such a duration that a suspension to take effect in the fall of 1966 would not really reduce investment spending until a time when indicators showed the economy would need a boost, not a restraint. A declining stock market and the tightening of the money market were not

only curtailing activity in the housing and commercial construction industry, but could well curtail plans for the expansion of business plants and for capital expenditures of government agencies. With these conditions on the horizon, it was no time to provide a depressant in the form of suspension of the tax incentives.

I felt also that it was inconsistent and discriminatory on the part of the Administration to suspend the tax credit of companies investing in the United States and at the same time advocating it for companies investing abroad. The Administration was doing just that in advocating such a credit for investment abroad as part of certain tax treaties then before the Senate Foreign Relations Committee.

The effect that a suspension would have on small business and on the agricultural community particularly concerned me. Farmers had begun to make a little money but desperately needed to purchase additional farm equipment in order to keep up with the demand for their products. Small business needed expansion of its facilities and modernization of its machines. The suspension of the investment credit would kill the only method by which farmers and small businessmen could buy the necessary implements and not return to the red ink side of their ledgers. I am happy to say that amendments were made in the original proposal which exempted from the suspension of the credit investment up to \$20,000 and which exempted from the suspension of the accelerated depreciation a structure or structures costing up to \$50,000. Even these exemptions would not be enough to keep the suspension from adversely affecting the farmer and the small businessman. For example, the purchase of one or two combines or tractors would probably exceed the \$20,000 exemption afforded to the farmer.

Of course, the bill was passed and signed into law on November 8, 1966. I hate to say I told you so, but the fact is that my worries at the suspension of the investment credit have come to pass and the suspension's detrimental effects theorized in 1966 are realized in 1967. The economy is dragging, business is off, and, if the suspension remains through the end of this year as it is supposed to, we could well be in a serious recession.

In a report of February 20, 1967 to the President on the impact of the suspension Acting Secretary of Commerce Trowbridge shows that businessmen have trimmed their capital spending substantially and are indicating great cuts in capital spending for the remainder of this year. Most of the cut-back in the 1966 capital spending outlays occurred in commercial business. In 1967, manufacturing and commercial firms share an equal portion of the anticipated reduction in outlays attributed to the suspension. Expenditures for new plant and equipment declined drastically in the first month of 1967 and in the predictions for the remainder of 1967. Such a drop in capital outlays cannot be countenanced if our economy is to continue to grow and to prosper.

The signs of an impending slack in business are all around. In its February 20 issue, the Wall Street Journal reports that new factory orders for durable goods dropped sharply in January and that the inventory buildup in the fourth quarter of 1966 was even bigger than previously thought. An inventory buildup means fewer purchases and is one of the most important indications of a slow-down in business.

Salutary amendments that the Senate made in last year's bill to suspend the investment credit, but which were eliminated by the conference, would have exempted various transportation industries from the suspension. These exemptions, especially the one for the railroads, were needed because of the shortage of transportation facilities, particularly of boxcars. Improved and adequate transportation facilities were necessary to

ship the nation's commodities from origin to processor. Specifically, railroad freight cars were in demand to transport farm products from the agricultural centers of the Midwest to the industrial centers of the East. Since the exemptions were denied in the bill which was finally enacted, just as I feared, the railroad equipment industry has suffered from the suspension of the tax credit. There is a startling decline of about 80 percent from a year ago in orders for freight cars and locomotives according to an article in the February 27 edition of the Wall Street Journal. The implications of this severe reduction in freight car and locomotive orders affect not only the railroad industry but the suppliers of railroad equipment and its components and the users of the railroads, particularly the farmers. And then there are corporate profits which after the longest, most vigorous boom in business history, have changed directions.

All of these indicators make it apparent that unemployment will rise and a sharp turn-down in the economy will result as the year advances.

Therefore, I am today introducing a bill to reinstate the investment credit and accelerated depreciation, to terminate the suspension of these tax incentives in advance of the December 31 date presently called for in the law. The suspension would cease as of the date of enactment of this bill.

I am happy to see that I am not the only one calling for an end of the suspension of these tax incentives. For example, the Senator from Wisconsin, Mr. Proxmire, championed this idea in a statement in the February 27 issue of the CONGRESSIONAL RECORD; two of the leading Washington newspapers, the Evening Star and the Post, in February 27 editorials called for the suspension to end now. It would not be inconsistent for the Administration to adopt such a position either. At the time of the suspension, Secretary of the Treasury Fowler said it would not continue for the scheduled 16 months if the economy exhibited marked signs of cooling off. These signs are much in evidence today—the economy is cooling off and will become rather frigid unless the investment credit and accelerated depreciation suspensions are lifted. I hope that my bill to lift these suspensions is given early consideration by the Senate Finance Committee.

S. —

A bill to terminate the suspension of the investment credit and the suspension of the allowance of accelerated depreciation in the case of certain real property

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 48(j) and section 167(l)(3) of the Internal Revenue Code of 1954 (relating to definition of suspension period) are amended by striking out "December 31, 1967" and inserting in lieu thereof "the date of the enactment of the Investment Credit and Accelerated Depreciation Restoration Act of 1967".

(b) The amendments made by subsection (a) shall apply to taxable years ending after the date of the enactment of this Act.

SEC. 2. This Act may be cited as the "Investment Credit and Accelerated Depreciation Restoration Act of 1967".

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. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ORDER FOR ADJOURNMENT FROM FRIDAY UNTIL MONDAY NEXT

Mr. MANSFIELD. Mr. President, I am about to propound a unanimous-consent request which I hope will be acceptable to the Senate as a whole.

I ask unanimous consent that when the Senate completes its business tomorrow, Friday, it stand in adjournment until 12 o'clock noon on Monday next.

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

Mr. MANSFIELD. I ask unanimous consent that, at the conclusion of business on Monday next, the Senate stand in adjournment until 11 o'clock on Tuesday morning; that on the completion of business on Tuesday, the Senate stand in adjournment until 11 o'clock on Wednesday morning.

The PRESIDING OFFICER. Is there objection?

Mr. MUNDT. I have no objection. That is with the understanding that there will be the usual period for the transaction of routine business.

Mr. MANSFIELD. Yes. The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, beginning at the conclusion of the morning business on Tuesday next, there be a time limitation of 4 hours on the Mundt free press amendment, the time to be equally divided between the distinguished senior Senator from South Dakota and the distinguished chairman of the Foreign Relations Committee [Mr. FULBRIGHT]; that following that, on the second amendment to be offered by the distinguished Senator from South Dakota, there be 6 hours allotted, the time to be equally divided on the same basis.

Mr. MUNDT. With the understanding that the morning business period on Wednesday will not be taken out of the time.

Mr. MANSFIELD. That is correct—on Tuesday and Wednesday.

Mr. MUNDT. On Tuesday and Wednesday.

Mr. MANSFIELD. And that with respect to the Smith understanding, there be 1 hour allocated to that proposal, the time to be equally divided between the distinguished senior Senator from Maine [Mrs. SMITH] and the distinguished chairman of the Foreign Relations Committee [Mr. FULBRIGHT].

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

Mr. MANSFIELD. I yield.

Mr. HRUSKA. Is it the purpose of the majority leader to have a period for the transaction of morning business on each day, Tuesday and Wednesday?

Mr. MANSFIELD. It is.

Mr. HRUSKA. Time limitations to follow the conclusion of morning business?

Mr. MANSFIELD. Yes.

Mr. ALLOTT. Mr. President, reserving the right to object to the various unanimous-consent requests that have been made, I am sure that the distinguished majority leader has worked out the time requests in each of these instances with the Senators involved, and that it is satisfactory with them.

However, in my opinion, this treaty and the various reservations that have been proposed constitute one of the most serious questions that have come before the Senate for a long time; and what this ends up in is that the majority leader or the minority leader or the proponent, as the case may be, controls the time; and with all good faith—which, of course, they have—we find ourselves often in the position I found myself in today. However, through the kindness of the majority leader, I was still able to say a few words.

I should like to ask if there is any reason why we could not defer these unanimous-consent requests until next week. I would have no objection to the first one. But I certainly wish to object to blocking myself into a situation with respect to this treaty where I could not discuss any phase of it or any phase of the reservations at as great length as I wished. With all good faith, the majority leader or the proponent of the reservation may find himself in a position where he can give a Senator only 5 minutes to discuss something that perhaps the Senator would, in all good conscience, wish to discuss at some length.

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

Mr. ALLOTT. Will the Senator answer that question?

Mr. MANSFIELD. May I say to the Senator that the situation was a little different this afternoon, because the distinguished Senator from Georgia [Mr. TALMADGE] was prepared to vote right at that time, without anyone having spoken in opposition to his amendment. I can assure the Senator from Colorado—he has my word for it—that he will have as much time as he desires, and he need have no worries in that respect.

Mr. MUNDT. May I add one other statement: This unanimous-consent agreement leaves open ended the right of any Senator to offer a reservation of his own, on which he would then control his part of the time.

Mr. ALLOTT. I understand that, Mr. President. With that assurance, and with the understanding that there will be no unanimous-consent request upon the treaty itself without notice to us on the final passage.

Mr. MANSFIELD. That is satisfactory.

Mr. ALLOTT. So long as there will be no time limitation on ratification, I will not object.

Mr. MANSFIELD. I thank the Senator, and I assure him that every Senator will receive ample notice before the treaty is finally voted on.

Mr. ELLENDER. Reserving the right to object, is it the opinion of the majority leader that we might be finished with this treaty next week?

Mr. MANSFIELD. I would hope so, yes.

Mr. ELLENDER. I thought that would be the purpose of the unanimous-consent agreement.

Mr. MANSFIELD. The Senator is correct.

The PRESIDING OFFICER. Without objection the unanimous-consent agreement is entered.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That effective on Tuesday, March 14, 1967, at the conclusion of any routine morning business under order of the Senate, during the further consideration of the treaty Ex. D, 88th Cong., 2d sess., a Consular Convention with the U.S.S.R., debate on Executive Reservation No. 1, intended to be proposed by the Senator from South Dakota [Mr. MUNDT], shall be limited to 4 hours, to be equally divided and controlled by Mr. MUNDT and the Senator from Arkansas [Mr. FULBRIGHT]; debate on Executive Reservation No. 2, intended to be proposed by Mr. MUNDT shall be limited to 6 hours, to be equally divided and controlled by Mr. MUNDT and Mr. FULBRIGHT; and debate on Executive Understanding No. 1, intended to be proposed by the Senator from Maine [Mrs. SMITH], shall be limited to 1 hour, to be equally divided and controlled by Mrs. SMITH and Mr. FULBRIGHT.

Mr. MANSFIELD. I thank the Senator from South Dakota, the Senator from Nebraska, and the Senator from Colorado for their consideration.

The PRESIDING OFFICER. What is the will of the Senate?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Without objection, it is so ordered.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate, in executive session, stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 10 minutes p.m.) the Senate in executive session, adjourned until tomorrow, Friday, March 10, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 9, 1967:

DIPLMATIC AND FOREIGN SERVICE

The following-named persons for appointment as Foreign Service officers of class 1, consular officers, and secretaries in the diplomatic service of the United States of America:

- Dr. Charles E. Klontz, of Illinois.
- Mrs. Gladys Pearlson Rogers, of Maryland.
- New Foreign Service officers of class 2 and secretaries in the diplomatic service, to be also consular officers of the United States of America:
 - Clifton P. English, of Florida.
 - John G. Gossett, of Oklahoma.
 - Charles G. Sommer, of Ohio.
- For appointment as Foreign Service officers of class 2, consular officers, and secre-

aries in the diplomatic service of the United States of America:

- William F. Keyes, of California.
- Clarence A. Wendel, of Montana.
- New Foreign Service officers of class 3 and secretaries in the diplomatic service, to be also consular officers of the United States of America:
 - Neil C. McManus, of New Jersey.
 - Mathias J. Ortwein, of Pennsylvania.
- For appointment as Foreign Service officers of class 4, consular officers, and secretaries in the diplomatic service of the United States of America:
 - John M. O'Grady, of California.
 - John E. Ray, Jr., of Virginia.
 - C. Lester Stermer, of Florida.
- Now a Foreign Service officer of class 6 and a secretary in the diplomatic service, to be also a consular officer of the United States of America:
 - William A. Feldt, of South Dakota.
- For promotion from Foreign Service officers of class 7 to class 6:
 - Kenneth A. Guenther, of the District of Columbia.
 - John J. Youle, of New York.
- For promotion from Foreign Service officers of class 7 to class 6 and to be also consular officers of the United States of America:
 - Parker W. Borg, of Minnesota.
 - Stephen W. Buck, of New York.
 - Harold F. Colebaugh, of California.
 - Miss Nancy E. Fitch, of New York.
 - Sydney Goldsmith, of New Jersey.
 - Maurice N. Gralnek, of Illinois.
 - Alphonse F. LaPorta, of New York.
 - Harvey I. Leifert, of California.
 - David L. Mack, of Oregon.
 - Joseph V. Montville, of New Jersey.
 - Miss Sheila-Kaye O'Connell, of Massachusetts.
 - John H. Penfold, of Colorado.
 - Bruce C. Rogers, of New York.
 - Theodor Rumme, of Massachusetts.
 - Richard L. Schott, of Kansas.
 - James W. Shinn, of the District of Columbia.
- For promotion from Foreign Service officers of class 8 to class 7 and to be also consular officers of the United States of America:
 - John D. Stempel, of Indiana.
 - James E. Taylor, of California.
 - John Way Vincent, of Illinois.
- For promotion from Foreign Service officers of class 8 to class 7 and to be also consular officers of the United States of America:
 - William E. Barreda, of Texas.
 - David L. Blakemore, of New York.
 - Miss Mary Rose Brandt, of Oregon.
 - Robert D. Brown, of Idaho.
 - Colby Cornish Coombs, of Massachusetts.
 - James J. Ehrman, of Wisconsin.
 - Terry D. Hansen, of Utah.
 - Frederick H. Hasset, of Missouri.
 - Miss Genta A. Hawkins, of California.
 - Arthur H. Hughes, of Nebraska.
 - Richard L. Jackson, of the District of Columbia.
 - Dennis W. Keogh, of West Virginia.
 - E. Mark Linton, of California.
 - Peter S. Maher, of Illinois.
 - Gene B. Marshall, of New Hampshire.
 - Richard Keller McKee, of Illinois.
 - Patrick A. Mulloy, of Pennsylvania.
 - John E. Ormond, Jr., of Rhode Island.
 - Alan Parker, of Kansas.
 - Robert Petersen, of Ohio.
 - Albert J. Planagen, of New York.
 - Bruce F. Porter, of Iowa.
 - Mark S. Ramee, of New York.
 - David L. Schiele, of California.
 - Miss Elizabeth J. Townsend, of Connecticut.
 - Miss Katherine A. Verebelyi, of Texas.
- For appointment as Foreign Service officers of class 7, consular officers, and secretaries in the diplomatic service of the United States of America:
 - Edward E. Archer, of California.
 - John A. Barcas, of New Jersey.
 - Alan H. Bergstrom, of North Dakota.
 - Roger P. Bradley, of Illinois.
 - Charles H. Brayshaw, of Colorado.

Weldon D. Burson, of Texas.
Frederick H. Gerlach, of Wisconsin.
Arthur Houghton, of the District of Columbia.

Larry Craig Johnstone, of Washington.
Robert K. Kelley, of California.
Sheldon I. Krebs, of New York.
David Burton Langhaug, of Michigan.
A. Frank Lattanzi, of California.
Lewis R. Luchs, of Virginia.
Miss Clara Sigrid Maitrejean, of California.
Robert P. Milton, of Georgia.
Dennis P. Murphy, of Washington.
Richard N. Otto, of New York.
Dennis R. Papendick, of California.
Thomas R. Reynders, of Massachusetts.
William Frederick Rope, of New York.
Harlan F. Rosacker, of Nebraska.
Robert S. Simpson, of Virginia.
W. Kenneth Thompson, of the District of Columbia.
James C. Todd, of California.
Edward A. Torre, of Maryland.
John H. Will, of Texas.

For appointment as Foreign Service Officers of class 8, consular officers, and secretaries in the diplomatic service of the United States of America:

Richard L. Bagnall, of Washington.
Paul E. Barblan, of Wisconsin.
Victor H. Borchardt III, of Colorado.
J. Grant Burke, of Massachusetts.
Martin W. Cooper, of Virginia.
Miss Mary Teresita Currie, of New York.
James A. Edris, of Pennsylvania.
Robert P. Gallagher, of Rhode Island.
Thomas Humphrey Gerth, of New York.
Daniel V. Grant, of North Carolina.
Miss Katherine Hashmall, of New York.
Miss Lynn Dean Hyatt, of Utah.
Peter R. Jones, of California.
Delmar Karlen, Jr., of New York.
Lawrence E. Modisett, of the District of Columbia.

Miss Marilyn L. Muench, of Idaho.
Miss Marguerite M. Orr, of Virginia.
Peter S. Perényi, of Connecticut.
George E. Richardson, of Massachusetts.
Miss Elizabeth Molin Roueche, of Maryland.

Dennis A. Sandberg, of Minnesota.
Miss Barbara L. Schell, of Pennsylvania.
Kirby L. Smith, of Florida.
Miss Marsha D. Smith, of Maryland.
Luis G. Stelzner, of California.
George S. Stone, of New York.
Miss Rosa Lee Unger, of Virginia.
David M. Walker, of Oregon.
Miss Melinda A. Wendell, of California.

Foreign Service Reserve officers to be consular officers of the United States of America:
William B. Bromell, of Virginia.
Thane A. Kuhlman, of Michigan.
Charles G. Williamson, of Virginia.

Foreign Service Reserve officers to be consular officers and secretaries in the diplomatic service of the United States of America:

Preston E. Amos, of Wisconsin.
Robert H. Behrens, of New Jersey.
Richard E. Benedick, of California.
Keith A. Botterud, of Montana.
Kenneth R. Boyle, of Alabama.
Frank P. Catanoso, of New Jersey.
Kenneth E. Clair, of Illinois.
F. Weston Fenhagen, of Maryland.
Kenneth L. Flynn, of Virginia.
Charles R. Hare, of Virginia.
Dixon H. Harris, of Missouri.
Warren S. Hawley, of New Jersey.
John L. Hopkins, of Virginia.
William E. Hutchinson, Jr., of Maryland.
Norman A. Jones, of Virginia.
Charles E. Waterman, of Massachusetts.
James Kim, of Maryland.
Bruce R. Koch, of Pennsylvania.
Lawrence B. Larkin, Jr., of Virginia.
Howard E. Larson, of Maryland.
Lewis H. Lederer, of California.
John D. Lorenzen, of California.
Robert Marrero, of Maryland.
Miss Marion M. Montague, of Virginia.

Alan G. Morrill, Jr., of Oregon.
Edgar E. Noel, of the District of Columbia.
Eugene E. Pfaff, of North Carolina.
Miss Jeanne M. Pryor, of Arizona.
Hal Ryerson, of New Hampshire.
John C. Scafe, of Kansas.
Edmund Schechter, of the District of Columbia.

Paul F. Taylor, of Florida.
Miss Marie Louise Telich, of California.
Earle M. Welch, Jr., of Virginia.
Walter E. Wells, of Connecticut.
Donald L. Whittaker, of Florida.
Peter C. Wolcott, of New York.
Foreign Service staff officers to be consular officers of the United States of America:

Miss Carolyn M. Allen, of Oklahoma.
Miss Elizabeth M. Arnold, of Pennsylvania.
Arthur J. Brickhill, of Massachusetts.
Miss Mary R. Carroll, of Massachusetts.
Arnold J. Denys, of Pennsylvania.
John D. Dodge, of Virginia.
Eric L. Faley, Jr., of Texas.
Richard C. Faulk, of New York.
Miss Phyllis S. Flaschner, of Massachusetts.
Miss Debbie R. Guiler, of Florida.
William D. Heimbach, of California.
Robert W. Jensen, of Montana.
Guy C. Johnson, of California.
Miss Charmaine V. Keyes, of the District of Columbia.

Jack S. Komitor, of New Jersey.
Miss Frances M. Leicht, of Minnesota.
Robert M. Linn, of Pennsylvania.
Alfred L. Malone, of Texas.
Milan R. McClelland, of Minnesota.
Miss Geraldine S. Mulrenin, of Oklahoma.
Robert K. Nelson, of Washington.
Miss Elizabeth A. Powers, of Maryland.
Oscar A. Reynolds, of Texas.
Miss Barbara A. Roberts, of Maryland.
James J. Romano, of New York.
Miss Elizabeth A. Smith, of Utah.
Charles L. Stephan III, of Illinois.
Edward T. Stever, of Virginia.
Arthur P. Strelck, of Pennsylvania.
Richard D. Sweet, of Idaho.
Miss Mildred P. Tamny, of Pennsylvania.
Miss Elayne J. Urban, of Ohio.
Miss Victoria Valcárcel, of Puerto Rico.
Edward H. Wilkinson, of Indiana.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on March 2, 1967, the President approved and signed a bill of the House of the following title:

H.R. 4573. An act to provide, for the period ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 355. An act to improve the operation of the legislative branch of the Federal Government, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 665) entitled "An act 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."

SCHLESINGER GUILTY OF A CARELESS MISTAKE IN HIS ATTACK ON PRESIDENT JOHNSON'S PEACE EFFORTS

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. STRATTON. Mr. Speaker, the quest for peace in Vietnam is difficult at best. We do ourselves and the world no real service when we complicate that difficult task still further by a lack of clear thinking or precise use of words in the English language.

What is even more regrettable is when a bitter attack on the President and our Nation's efforts to achieve an honorable peace in Vietnam is based, as it was yesterday in the speech my former fellow member of the Harvard faculty, Arthur Schlesinger, gave to the ADA here in Washington, upon a careless mistake in understanding the English language.

As one who has followed the quest for peace in Vietnam rather closely as a Member of Congress, I can say flatly that Mr. Schlesinger is absolutely 100 percent dead wrong when he charges that this country refuses to sit down and talk peace with Hanoi unless Hanoi first reduces the level of its military aggression.

We are ready now as we have been consistently in the past to sit down and talk peace with Hanoi without any conditions at all.

What we do refuse to do, however—and quite properly so—is to purchase Hanoi's attendance at these talks at the

HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 9, 1967

The House met 12 o'clock noon.
Rev. George N. Conomis, St. Demetrios Greek Orthodox Church, Jersey City, N.J., offered the following prayer:

Eternal God, Thou hast said: *Blessed is the nation whose God is the Lord—* Psalm 33: 22.

Blessed has been our Nation, for Thou hast been our Lord. From the days of the pilgrims and the Founding Fathers of our Republic, our trust is in Thee.

Unto Thee do we humbly lift up our souls in truth and sincerity to praise and thank Thee for all thy blessings.

We humbly beseech Thee to ever accept us as Thine inheritance. Grant unto our beloved President and those in authority, in interpreting and perpetuating those inalienable rights bestowed by Thee, strength of wisdom so that they may continue to serve our Nation and its goals of justice, prosperity, and peace at home and throughout the world. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.