By Mr. WATTS:
H.R. 7444. A bill for the relief of M. Sgt. Ray S. Molen, U.S. Air Force; to the Committee on the Judiciary.
By Mr. BOB WILSON:
H.R. 7445. A bill for the relief of Moktar Kourda; to the Committee on the Judiciary.

# SENATE

THURSDAY, MARCH 16, 1967

The Senate met in executive session at 9 o'clock a.m., and was called to order by the Acting President pro tempore.

Rev. John R. Esaias, Jr., minister, Oxon Hill Methodist Church, Oxon Hill, Md., offered the following prayer:

Eternal God, our Father, Thou hast set us in the midst of the perplexities of a changing social order. Give us the courage and ability to set our own house in order.

Our Nation has grown proud of its affluence. We boast of our industrial and agricultural productivity. Help us to see the perils of prosperity. "Adversity has slain its thousands, but prosperity has slain its tens of thousands." Realizing this may we look out with compassion upon the hungry and needy nations of the world and share with them our abundance to save our own souls. We see ourselves as Dives in our Lord's parable and the needy nations as Lazarus. We sense the great gulf between us. May Thy divine providence enable us to bridge this gulf by a great outpouring of our resources that will make all our previous efforts pale into insignificance.

Let Thy judgment fall on those who do as the prophet of old said, "Make evil their good and good their evil." May Jesus Christ come to cleanse the temple of our minds of their evil motives. We see to repent of our misdoings and be reconciled to Thy eternal goodness revealed in Jesus Christ our Lord. Amen.

## THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, March 15, 1967, was dispensed with.

## NOMINATIONS

Mr. MANSFIELD. Mr. President, I yield myself 1 minute, and I ask unanimous consent that the nominations on the Executive Calendar be considered.

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

## FEDERAL FARM CREDIT BOARD

The legislative clerk proceeded to read sundry nominations to the Federal Farm Credit Board.

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

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

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

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

## ORDER OF BUSINESS

Mr. MANSFIELD. I yield 5 minutes to the distinguished Senator from Kansas.

Mr. CARLSON. I appreciate the courtesy of the distinguished majority leader.

## TRIBUTE TO REAR ADM. HOWARD A. YEAGER

Mr. CARLSON. Mr. President, last Saturday I was shocked to learn of the tragic death of Rear Adm. Howard A. Yeager, commandant of the 9th Naval District.

Admiral Yeager was born and reared in my home State of Kansas, and was a personal friend of mine. He had an outstanding military career and a record that brought him national and international acclaim.

Admiral Yeager, a veteran of 44 years with the Navy, gave the signal which launched the invasion of France on D-day. He was executive officer of the U.S.S. *Nevada* at the time.

Recognized as one of the Navy's top experts in amphibious operations, he held three major commands in that field. The most recent was as commander of amphibious forces in the Pacific.

Admiral Yeager was commander of a destroyer squadron which bombarded Wonsan, North Korea, during hostilities there and also was responsible for landing American Marines on the shores of Lebanon in July 1958.

At the time of his death, he was just completing his assignment as commandant of the 9th Naval District, the Nation's largest, and was to have retired on April 1 and become assistant to Joseph Wright, president of Zenith Radio Corp.

It was only a week ago that Illinois Gov. Otto Kerner proclaimed March 31 as Admiral Yeager Day and made him an honorary citizen of Illinois. Political, civic, business, and religious leaders of the Chicago area had planned a farewell tribute to the career officer on his retirement.

He is survived by his wife, Mary Jean, daughter of Mr. and Mrs. Roy Bailey of Salina, Kans. Roy Bailey was for many years editor of the Salina Journal. His stepmother, Mrs. Mabel Yeager, lives in Topeka, Kans.

Admiral Yeager will be greatly missed by his many friends and associates.

He will be buried this afternoon at Annapolis with full military honors.

## CONSULAR CONVENTION WITH THE SOVIET UNION

Mr. CARLSON. Mr. President, as a member of the Committee on Foreign Relations, I had the opportunity to hear the testimony on the part of the proponents and opponents of the Consular Convention. We heard testimony from a number of witnesses in both open and executive sessions.

Based on the testimony taken, I am convinced there is much misunderstanding about the effect of the treaty among both the opponents and supporters of ratification.

This treaty was sought by Washington primarily to give the American Embassy in Moscow a better legal basis for protecting the large number of American tourists who travel in Russia. This treaty would secure rights for our Americans in the Soviet Union which they do not now have.

Under present Soviet law, Soviet citizens and foreigners alike can be held incommunicado for 9 months or more during investigation of a criminal charge.

The Consular Convention contains major concessions by the U.S.S.R. It specifies that U.S. officials will be notified immediately—within 1 to 3 days—when an American citizen is arrested or detained in the U.S.S.R., and it stipulates that these officials will have rights of visitation without delay—within 2 to 4 days—and on a continuing basis thereafter.

Ever-increasing numbers of Americans travel to the Soviet Union, and the number which encounters difficulties rise proportionately. Between 1962 and 1966, the number of Americans traveling to the U.S.S.R. rose by 50 percent to 18,000, while the number of Soviet travelers remained static, about 900 per year.

Since the convention was signed in 1964, more than 20 arrests or detentions of American citizens in the U.S.S.R. have come to our attention. In none of these cases have we been notified of the incident or allowed to visit the American within a reasonable period and certainly not within the time limits specified in this treaty.

Meanwhile, our own constitutional system and democratic society automatically provide Soviet travelers here with protections similar to those our travelers would obtain from the convention.

Without the protection of such an agreement, Americans have frequently been isolated in Soviet prisons for long periods and kept from contact with American Embassy consular officers.

No formal proposals or plans are pending for the opening of separate consular offices of either country in the other. If at a later date it is decided to be appropriate to open one outside the respective capitals, it would be the subject of careful negotiation on a strict quid pro quo basis. Such an office would probably involve 10 to 15 Americans in the Soviet Union, with the Soviets permitted to send the same number here.

In accordance with Secretary Rusk's statement before the Committee on Foreign Relations, we would plan to consult that body and the State and local officials of the community to be affected, before concluding such an agreement.

Although, as noted, such an arrangement would be reciprocal, the fact that the Soviet society is a closed one while the United States is open, and the fact that the U.S. citizens needing service and protection when traveling in the Soviet Union far outnumber Soviet citizens with like needs in the United States, indicate that the balance of advantage would be on our side.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

The opening of one Soviet consulate in the United States would not materially affect our internal security. The number of Soviet citizens now enjoying immunity, 452, would be increased by only ten or fifteen persons. We have the right under the treaty to screen the personnel of such an office before agreeing to their assignment.

We are also authorized by the treaty to prevent them from travelling to sensitive areas in the country and to expel them if they prove to be undesirable. We could close a Soviet consulate in the United States whenever we wished, and we could cancel the Consular Convention on 6 months' notice. Both Attorney General Ramsey Clark and FBI Director Hoover have stated that 10 to 15 additional Soviet officials in this country would not place an undue burden on their organizations.

I believe that ratification of the United States-U.S.S.R. Consular Convention is clearly in the national interest and, on balance, more valuable to the United States than to the Soviet Union. This convention is part of our balanced strategy for peace aimed at limiting the areas of disagreement in our relations with the U.S.S.R. while we are resisting Communist aggression wherever it occurs.

It is for the above reasons that I shall vote for ratification.

## CONSULAR CONVENTION WITH THE SOVIET UNION

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate the pending business which will be stated.

The ASSISTANT LEGISLATIVE CLERK. A 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.

## MARCH 16—SAD ANNIVERSARY FOR HUMAN RIGHTS—XL

Mr. PROXMIRE. Mr. President, today is a human rights anniversary of sorts. Although it is hardly an occasion for celebration in this Chamber. For on June 16, 1949, President Truman sent to the Senate for its advice and consent—the Convention on Genocide. Seventeen years and 9 months ago today the President of the United States wrote in submitting this convention:

> America has long been a symbol of freedom and democratic progress to peoples less favored than we have been.

There is no need here for a lengthy narrative on why the Senate has failed to act. Let it simply be noted that for 213 months the Senate has had other treaties to consider, treaties on shrimp, tuna, halibut, driver's licenses, automobiles, commercial samples, and yet the Senate has not been able to find a few hours of debate to set aside for a convention—already ratified by 70 other nations—protecting the most cherished and most fundamental human right: the right to live.

Human rights are not something new in the U.S. diplomatic history.

The United States did not fail to intervene in behalf of oppressed religious minorities in Morocco in 1863. The U.S. responded to similar oppression in Romania in 1872 and in Poland in 1919.

Who can deny the strong commitment to human rights of President Taft, in 1911, when he abrogated a trade treaty with czarist Russia because of that regime's persecution of Russian Jews?

Every American can recall vividly the dedication of Woodrow Wilson to the cause of human rights as that great president fought with his every resource for a just peace our national commitment to human rights for all men has been emphasized by American presidents and backed up by the American people.

The Senate should no longer turn America's back on this proud tradition of deep and active commitment, to universal human rights. This Senate must reaffirm that tradition by ratifying the convention on genocide, now.

## TRUTH IN LENDING

Mr. PROXMIRE. Mr. President, in keeping with the growing importance of consumer affairs, a biweekly newsletter was recently started to report on developments in consumer legislation. I ask unanimous consent to have printed in the RECORD a portion of the newsletter's coverage on the truth-in-lending bill and an article on the prospects for the bill.

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

[From U.S. Consumer]

BATTLE LOOMS IN SENATE OVER TRUTH IN LENDING

(By Arthur E. Rowse)

MARCH 22, 1967.

DEAR CONSUMER: *At long last, the "Truth-in-Lending" Bill has a good chance of passage* after being piloted unsuccessfully for many years by Paul Douglas. The improved prospects are due chiefly to the President's strong support for disclosure of the annual interest rate to borrowers—a point missing from his Message last year—and changed lineups on several key committees handling the bill. Sen. William Proxmire (D-Wis.) whose bill the President endorsed, has announced hearings will begin April 13.

WASHINGTON.—Should firms that lend money be compelled by Federal law to reveal the true interest rate to borrowers?

For many years, a "Truth-in-Lending" Bill that would require this was championed in the Senate by Paul H. Douglas (D-Ill.) but it never got out of committee.

This year, ironically now that Douglas is no longer in the Senate, prospects for passage have never been better. Both friends and foes of the measure are agreed that this may be the year of decision.

The principal of full disclosure of terms in all types of loans has been steadily gaining attention—and support—in many places. A number of states are considering a "Truth-in-Lending" Law like the one passed in Massachusetts, the first state to adopt one, last year. And the Pentagon has ordered all firms lending money to military servicemen to disclose the true annual interest rate.

But progress in the U.S. Senate has been blocked by a preponderance of opponents at the committee level, the failure of the White House to push previous versions of the bill seriously and Douglas' unwillingness to change any of the wording to suit critics.

Assignment of the bill to the Subcommittee on Financial Institutions headed by Proxmire does not automatically assure a favorable report, because four of the nine members are clearly opposed, and two are undecided. But prospects are better than before.

Firm opponents on the Subcommittee are John Sparkman (D-Ala.), Edward V. Long (D-Mo.), Wallace Bennett (R-Utah) and Bourke B. Hickenlooper (R-Iowa). Listed as favorable, besides Proxmire, are Gale McGee (D-Wyo.) and Edward W. Brooke (R-Mass.).

The two considered on the fence are Edmund S. Muskie (D-Maine) and Thomas J. McIntyre (D-N.H.). Pressure on these two Senators is building up steadily.

Senator Proxmire has set five days of hearings to begin April 13. If the legislation gets by the Subcommittee, it will go to the parent Senate Banking Committee. The full Committee is headed by Sparkman, an opponent of the Bill, but the Committee is expected to vote favorably.

Chances for passage were greatly improved by the President's strong endorsement of the bill in his recent Consumer Message. This was the first time a "Truth-in-Lending" bill was specifically approved by the White House.

Proxmire also improved prospects by changing some wording to allow lenders to state "approximate" annual rates. Retail merchants say it is impractical to determine exact interest rates for installment accounts because the rate depends on the date of payment.

The Proxmire bill would make it possible, for example, for a retailer to state that his approximate annual credit charge is 18 per cent where the monthly charge is 1½ per cent.

But now that the bill has been changed to allow this, some retail executives are still having second thoughts. J. G. Michaux, Washington representative for the Federated Department Stores, recently told a business conference here that there would be numerous cases where such a formula "would make retailers give the customer information which is neither clear nor honest."

If his viewpoint is any indication of the industry's position, opposition to the bill will continue to come from retail groups and lending institutions doing business with them.

The Proxmire bill (S. 5) would require the lender to disclose two things: the total cost of credit in dollars and cents and the total cost expressed in an annual percentage rate. It would not set a ceiling on rates.

The purpose, according to Proxmire, is to "give the American consumer a simple yardstick to compare alternative sources of credit. It will permit him to shop effectively for the best credit buy . . . it will discourage lenders from charging truly exorbitant rates and it will strengthen competition in the credit industry."

He cited the numerous ways of stating credit charges and said that few people know the rate they are paying. He referred to a study of 800 families which showed that their average estimate of the interest rates they were paying was 8.3 per cent, compared to an actual rate of 23.2 per cent.

For a handy booklet showing a simple way of figuring approximate annual interest rates, write for "Credit: Master or Servant," enclosing 25 cents, to the Superintendent of Documents, Washington, D.C.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, the time to be charged to both sides.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I

ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MANSFIELD. Mr. President, I yield 5 minutes to the distinguished Senator from West Virginia.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia is recognized for 5 minutes.

Mr. BYRD of West Virginia. Mr. President, I thank the distinguished majority leader.

## GOOD WISHES FOR THE PRESIDENT ON THE EVE OF HIS MEETING IN GUAM

Mr. BYRD of West Virginia. Mr. President, this weekend President Johnson will journey to Guam to meet with his top military and civilian advisers on the Vietnam situation.

The White House has made it clear that no one should expect any miracles to result from this meeting, no sensational developments, and no quick settlements.

I am sure that President Johnson can count upon the prayers and understanding of our people. They know that there is no easy answer quick solution to end this war.

Moreover, I think that the President can leave for Guam with the assurance that the overwhelming majority of the American people and the Congress support him in his consistent attempts to secure an honorable peace, and to fulfill America's commitment to the freedom of the Vietnamese people.

I am confident that my colleagues on both sides of the aisle join me in wishing President Johnson Godspeed and a successful meeting that hopefully will find new ways to convince Hanoi to move from the battlefield to the negotiating table.

## TRIBUTE TO SENATOR RUSSELL LONG—SENATE MAJORITY WHIP

Mr. BYRD of West Virginia. Mr. President, "as plain as an old shoe" is the way Richard Starnes, Scripps-Howard staff writer, describes our able majority whip, the Senator from Louisiana [Mr. LONG] in an article which was published in yesterday's Washington Daily News.

The article, which is entitled "Saga of the Son of Kingfish," favors the reader with a brief glimpse of "one of the two score or so men in power-conscious Washington who really count," a man of candor, who idealizes his father, a Senator before him.

Millions of Americans knew about Huey P. Long, but many more millions have heard and will continue to hear of the son who daily cherishes his father's memory. Senator RUSSELL LONG'S place in the Senate and in the service of his State looms large with promise, and we, who are his colleagues, know that he has the ability to fulfill that promise.

Good natured, voluble, candid to a refreshing degree—these are but a few of the admirable traits of the man whose father and mother were Senators, whose uncles and cousins have been Governors and Congressmen, and whose name will forever be a legend in the Creole State.

Mr. President, I ask unanimous consent to have printed in the RECORD the article which appeared in the Washington Daily News on Wednesday, March 15, 1967.

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

NO WHITE HOUSE GLEAM IN SENATOR'S EYES—SAGA OF THE SON OF KINGFISH

(By Richard Starnes)

With a little polishing, the saga of Russell, son of Kingfish, would make a sure-fire widescreen epic, replete with melodrama, fierce filial loyalty, history, and, just possibly, an authentic view of one of the two-score or so men in power-conscious Washington who really count when there is decision making to be done.

Russell is Sen. Russell Long (D., La.). He is Senate Majority Whip, chairman of the Powerful Finance Committee, and he is as plain as an old shoe with steel-reinforced toes. Kingfish was his father, Huey P. Long, late Senator from Louisiana, who was shot dead in the State House at Baton Rouge before his philosophy of every man a King could do much more than send a cold breath of terror thru the country's financial community.

As the script unfolds the audience quickly becomes aware that the life and death of his father are the most important facts in Russell Long's life.

"I idolize my father," he tells a visitor in the hidden office on the gallery floor of the Senate, the tenancy of which is one of the prizes that go with being the Majority Whip. The tense is important: It's "idolize," not "idolized."

"The view people got of him was not an accurate one," Sen. Long says. "It was created by the newspapers in Louisiana, and the rest of the country believed it."

Many of Huey Long's contemporaries probably would have characterized him as a thundering, wild-eyed, demagogic, red-dirt populist, whose schemes to share the wealth were terminated before they could do any harm. He looks enough like his father to be the Kingfish himself, but his customary style is quite a different thing.

"Put him down as smart, good-natured, voluble, able, ruthless, sentimental about his father—and nothing else—and case-hardened," one experienced Long watcher said. "He is not the most popular man in the Senate, but he is respected. His hide is a foot thick when he's in a fight. Reporters get along with him, principally because he is candid to a refreshing degree."

As an example of both his candor and what appears to be a disarming lack of guile, Sen. Long recently told a wayfaring journalist a tidbit of news that would have caused some considerable fluttering in a particularly sensitive dovecote. He thought about the revelation for a moment, and then added: "But I hope you won't put me on the spot on that. Unless, of course, you have to."

"I'm not running for President," Sen. Long says, looking chipmunk-joweled and pensive. "I know a lot of men who are better qualified. And so far as being Vice President, there isn't really very much a Vice President can do. It may sound egotistical, but I think I can be a good Senator and a good Chairman of the Finance Committee, and if I can make a genuine contribution in those places, I will be satisfied."

"Russell is a sincere and honorable man," one of Sen. Long's oldest friends said at that. "And I'm sure he thinks he means it, right now. But don't forget that the thing that makes him go is the conviction that his father was, first, libeled by a whole generation of Americans, and then martyred. And bear in mind that on the day Huey was shot, Sept. 8, 1935, his book, 'My First Days in the White House' had just reached the copyright office of the Library of Congress. Everything Russell has done with his life has been conditioned on the deep affection and respect he felt for his father, and his deeply felt need to vindicate his father's memory."

Even more influence attaches to Sen. Long's post as Finance Committee Chairman. Tax and Social Security legislation, to name two of the Committee's key concerns, touch the life of every American, and notable on its agenda now is the 6 per cent income surtax which the Administration plans to ask Congress to enact.

Sen. Long is cautious on the prospect for the surtax: "I was talking to a man at lunch about it not long ago—a very influential publisher. He said he thought everyone should be willing to make the sacrifice of higher taxes when you consider the sacrifices our men in Vietnam are making. I wasn't looking for an argument with him, but I did tell him that I didn't see the relevancy. You simply can't equate any amount of taxes with the flesh and blood sacrifices that we're asking our men to make in the war."

Sen. Long on politics: "Well, a lot can happen between now and election time. But right now, the President could be in a lot of trouble. George Wallace says he's going to run on a third-party ticket, and I think he will. He will hurt Johnson badly in the Deep South. The civil rights thing is killing Johnson. Not only in the south; there is going to be more backlash all over the country."

Sen. Long on Congressional Ethics: "It has been suggested that the House action on Powell made it incumbent on the Senate to take some sort of comparable action on the Dodd case. But there is actually very little similarity between the two. Powell was accused by a duly constituted committee of the House. He was invited to testify, and refused. So far, Dodd has been accused only by a newspaper rumor-monger supplied with documents purloined from Dodd's office."

Sen. Long on Baker case: "This was a criminal case remember. A man is supposed to be presumed innocent until he is proven guilty beyond a reasonable doubt. I didn't attend the trial, of course, but based on what I read I just don't believe the case against Baker was proven. I would have voted for a verdict of innocent if I'd been on the jury."

Sen. Long on Uses of Power: "Well, sure, I've got lots of responsibilities, but somebody, say, like Robert McNamara has 10 times as much on his mind. I think one of the tragedies we live with is that men in positions of great responsibility simply don't have the time to sit back and think their way through problems."

When Russell talks about breaking the power of big money, he sounds like a son of Kingfish ought to sound. But Huey belonged to another time, almost another century. Russell is not as earthy as his cantankerous father, and he has a profound respect for established values that the Kingfish used to delight in assailing. "Sure I support the oil depletion allowance," Russell once told an interviewer. "Oil and natural gas are lifeblood to Louisiana, and if I didn't support the depletion allowance I wouldn't be representing my state."

## WRONG WAY TO PROTEST

Mr. BYRD of West Virginia. Mr. President, earlier this month I stated here in the Senate my revulsion at the spectacle of some of the so-called protests being staged by undisciplined youthful demonstrators. I particularly

deplored the disrespect shown to the Vice President at Stanford University.

I note similar views on this score are reflected in an editorial dated March 8 in the Wheeling, W. Va., News-Register. I also concur with the editor's views that self-centered youths in such demonstrations should understand that, while they are free to hold and express personal views, deliberate disobedience and ugly contempt for authority, because of disagreement with a particular area of national policy, reveal intent to intimidate by threat of riot.

This surely is the wrong way to protest disagreement with American policy in Vietnam.

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

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

WRONG WAY TO PROTEST

While this newspaper repeatedly has urged our government to take every possible means to achieve a negotiated settlement of the Vietnam war, we want it plainly understood that we will offer no support to these outrageous protest activities carried on by so-called the Vietnik element.

The word is out that the wild-eyed troublemakers are planning a nationwide series of anti-war demonstrations for the week of April 8–15. At least six major university campuses have been targeted for such activities, some of which we understand border on the mutinous and treasonable.

It is said that plans call for campus "war-crimes" tribunals to "convict" university officials for participating in military research projects; fund-raising drives to provide medical aid for North Vietnamese "napalm victims;" the soliciting of pledges to refuse payment of taxes; disturbances at military recruiting stations, and other "acts of civil disobedience to interfere with operations of government agencies."

The demonstrations have been in the planning stage for weeks by a group of some 250 leftist student leaders who met for four days between Christmas and New Year's at the University of Chicago. Known as the "Students Mobilization Committee" with headquarters in New York, the group carefully picked a time to protest so as to coincide with the opening of congressional hearings on the bill to extend the Selective Service Act.

Among the organizers and active participants in the movement are members of the Communist Party, the W.E.B. DuBois Clubs, the Youth Against War and Fascism, the Socialist Workers Party, the Young Socialist Alliance, the far-left Students for a Democratic Society and the Student Non-Violent Coordinating Committee (a militant "Black Power" civil rights organization).

One of the more prominent organizers was Miss Bettina Aptheker, the Berkeley beatnik who is now a member of the Communist Party's national committee.

If the beatniks go ahead with the planned activities we urge university and law enforcement authorities to move swiftly to put down all disorders. They have been adequately warned. Those breaking the law should be arrested and prosecuted. Students who joint in such outrageous actions should be expelled forthwith by their universities. This is the only way to deal with the fanatics who insist on making a mockery of law and order. This sort of thing has been tolerated far too long now in our country. It is time to get tough.

We had a most disgraceful scene recently at Stanford University where certain students attempted to mob Vice President Humphrey. Some of the demonstrators called the Vice President a "war criminal." Others beat with their fists on the Vice President's car shouting, "Burn, burn, burn." Only a cordon of Secret Service agents and sheriff's deputies prevented the Vice President from suffering bodily harm at the hands of the unruly crowd.

There are right and wrong ways to protest the policies of government in a free society but no one can sanction such behavior as that displayed by the rabble-rousers at Stanford or planned by the "Vietniks." After all, they were threatening the second-ranking constitutional officer of the United States.

Citizens of this country differ about many governmental policies. And they have a right to express their differences. They do not have the right to send their roughnecks, rowdies and storm troopers into the streets, the meeting place or onto the college campuses to intimidate those with whom they do not agree.

## BECKLEY, W. VA., HEALTH CENTER

Mr. BYRD of West Virginia. Mr. President, the Southern West Virginia Clinic, located at Beckley, W. Va., has been called the Mayo of the Mountains. This clinic, newly established, became a reality through local initiative and financing from Beckley's three banks, without Federal financing. It represents one of the continuing efforts to maintain Beckley in a frontal position as a major health center in the State of West Virginia.

The scope of operations at the clinic was presented in a capsuled manner in an article in the Sunday Gazette-Mail State Magazine of Charleston, W. Va., on March 12. This report by Opal Ripley was entitled "Mayo of the Mountains."

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

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

MAYO OF THE MOUNTAINS—BECKLEY'S NEWEST HEALTH CENTER ONE-OF-KIND IN STATE

(By Opal Ripley)

Beckley's newest medical facility is tangible proof of the city's efforts to continue as a major health center in the state.

The recently constructed Southern West Virginia Clinic not only is a beauty asset to the area, but offers the latest in specialized clinical services, according to James P. Bland, administrator.

Situated on 3.5 acres of land owned by Appalachian Regional Hospitals Inc., and leased to the administrating body of the Dr. Thomas Walker Memorial Foundation, owner of the building, the clinic is principal tenant in the 40,000 square foot facility.

Patients from throughout Southern West Virginia, Virginia, Kentucky and Tennessee, averaging about 300 per day, are requesting the services of specialists in the 10 departments.

Housed in the sprawling two-floor brick and redwood structure are internal medicine, pediatrics, general surgery, ophthalmology, laboratory and pathology, radiology and X-ray, obstetrics and gynecology, urology, orthopedics and an optical dispensary. Also, a branch of the ARH pharmacy is located in the facility.

Accommodations include about 50 examination rooms, conference rooms, spacious waiting lounges and offices. Said to be one of the most attractive buildings of its type in the state, the clinic's interior features Hawaiian mahogany and extensive glass paneling. Color is provided through carpeting of rich deep shades of blues, greens and burgundies.

The $1 million facility employs 80 persons and serves about 25 physicians and other specialists. It became a reality through local initiative and financing from Beckley's three banks—no federal funding was applied for or used, Bland said.

Founded in July, 1964, in the Beckley ARH where it functioned on a lease basis until Jan. 3 of this year, the new clinic is currently amassing new permanent records for both its patients at the former location and newcomers.

Bland pointed out that while gathering and recording these case histories is time-consuming, the techniques used in processing the data are the most modern available for the gigantic job and he added, these will be permanent records.

The entire structure is equipped with a sprinkler system to eliminate fire hazards. Also, emergency lighting is installed throughout for use in the event of power failure.

It boasts one of the largest and most complete sterilizing units in existence, and accommodations have been provided for wheel-chair patients. These include properly elevated ramps, elevators and wide doors, and its paved parking lot provides space for about 200 vehicles.

Currently heading the Memorial Foundation's local unit is a board of directors comprised of Dr. Kenneth Swank, president; Rondey L. Webb, vice president; James Leeber, secretary; James W. Word Jr., assistant secretary; and Paul Sanna, treasurer. David Kennedy, Beckley lawyer, is legal counsel for the clinic and the foundation.

Mr. CLARK. Mr. President——

The ACTING PRESIDENT pro tempore. Does the Senator from West Virginia yield time to the Senator from Pennsylvania?

Mr. BYRD of West Virginia. Mr. President, on behalf of the majority leader I yield 5 minutes to the distinguished Senator from Pennsylvania.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania is recognized for 5 minutes.

## PRESIDENT'S MESSAGE ON REHABILITATING OUR SLUMS

Mr. CLARK. Mr. President, in his message on urban and rural poverty, the President has indicated his intent to convene a high-level meeting of business and labor leaders to explore ways of establishing large-scale operations to rehabilitate slum and deteriorating areas in our cities. This seems to me a sensible and sound way to approach this extremely complex and difficult area in the field of housing.

It is urgent that we find ways of speeding up rehabilitation efforts and lowering the cost of rehabilitating our housing stock, if we are to avoid condemning hundreds of thousands of families to utter squalor in their housing conditions for decades to come until enough new housing can be built to satisfy all needs.

We shall have to harness the resources and capacities of private enterprise to a far greater degree than has ever been tried before if the job is ever to get done.

This is not going to be an easy matter. The economics of rehabilitating slum dwellings for low-income families will not yield to glib answers.

Just recently, the New York Times carried an informative article describ-

ing the difficulties that the Citizens Housing and Planning Council has had in New York in operating a rehabilitation project on a profitable basis.

As the organization's director, Roger Starr, was quoted as saying:

> It simply costs more money to keep up your property than you collect from rents at this level of the economic system.

Obviously, it is going to require some very careful thought and efforts from many different directions if we are ever to crack the economic nut of slum rehabilitation.

It is going to take more than the good intentions of nonprofit organizations—although their contribution thus far has been substantial—more than a little advice and technical assistance to builders and interested industrial corporations; more than community involvement, and more than a few credit crumbs sprinkled on this particular sea.

The problem is going to have to be tackled from many directions. It is going to require a hard look at the financial requirements necessary to make a rehabilitation program successful. It is going to require organizational improvements on the part of both management and labor. And it is going to require understanding and sensitivity to the needs and interests of the people who will be affected by any program in this field.

Perhaps one of the most important areas requiring intensive investigation is the extent to which organizational and technological innovations can be brought to bear to help reduce the costs of doing the job.

In California, I understand, some notable success has been achieved by several school districts which banded together, decided what they wanted from their school buildings, and then—by offering the prospect for a sizable business contract—asked several different companies to bid for the job of designing the project in ways that would meet the schools' requirements at minimum cost. This obviously triggered significant amounts of experimentation and innovation which is so badly needed in the building process.

Certainly, every effort should be made to explore the application of this technique to the rehabilitation of housing.

Thus, given all these complexities and the many difficult problems that need to be resolved, I think that President Johnson took the right step in inviting leaders of business and labor to sit down and see what can be done.

I earnestly hope that the response of private enterprise will be equal to the scope of the need and challenge facing us.

## BETTERING RELATIONS WITH THE SOVIET UNION

Mr. CLARK. Mr. President, at the request of the State Department, I ask unanimous consent that an editorial published in the Evening Bulletin in Philadelphia on Monday, March 13, 1967, entitled "Warning Vote," and dealing with the general subject of the Consular Treaty, be printed in the RECORD.

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

[From the Evening Bulletin, Mar. 13, 1967]

WARNING VOTE

The U.S. Senate said something important last week, and it said it loud and clear by a vote of 53–26.

The message was that we are not kidding in our intention to try to have better relations with the Soviet Union. This is what Sigmund Freud would have called "the dream meaning." The "dream content" is easier to fathom. It involves resumption of consular relations between the two most powerful nations on the planet, broken off in 1948 during a period of mutual distrust and fear.

The proposal to warm up the now chilly war is mild enough. For a start, we would have a consulate in Leningrad, and Russia would have one in Chicago or San Francisco. This would at least facilitate exchanges of travel and trade between the two nations.

There have been head-shakings about this, most of them depending on the old theory that we can never trust the Communists. That is a sound principle, until disproven, where life and death are involved. But if there is ever to be a better hope for the world than Armageddon, some try has to be made.

The Senate defeated an amendment to the consular treaty bill offered by Senator Talmadge (D-Ga.) which would have curtailed the diplomatic immunity proposed for consular officials and workers. This involves a certain risk, but note that the Soviet Union will undertake the same risk . . . and the Russians are traditionally much more afraid of foreigners than America ever has been.

The dimensions of the vote suggest that the consular treaty is well on its way.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum, with the time to be charged to to both sides.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered; and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

## CONSULAR CONVENTION WITH THE SOVIET UNION

The Senate resumed the consideration 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 (Ex. D, 88th Cong., second sess.).

Mr. BYRD of West Virginia. Mr. President, I yield 5 minutes to the distinguished Senator from Tennessee [Mr. BAKER].

The ACTING PRESIDENT pro tempore. The Senator from Tennessee is recognized for 5 minutes.

Mr. BAKER. Mr. President, on a matter of most urgent importance, a topic of concern to the Senate at this point and juncture of the session, I offer my support for ratification of the Consular Convention with the Soviet Union.

I must say, however, that in the course of the past few days, I have listened intently to the arguments both in favor of ratification to the convention and in opposition to it, and I find my support for ratification at considerable variance with the stated reasons both for support and opposition advocated by distinguished Senators on each side of the issue.

I do not believe, for instance, that the cause of promoting better relationships through diplomatic channels with the Soviet Union is served in the context of attempting to join the consular convention with other measures as a part of a package, or as a part of bridge-building proposals, or as a sharpening of the front edge of a détente.

For instance, I do not believe that the significant effect of the ratification of this treaty by the Senate will be to alter the aggressive intent or the overall purposes of international communism.

By the same token, I feel that the free men and women of the world, with the United States as their titular leader, have but two alternatives and two parallel courses of action which lead to survival.

One is the use of the force of arms in measured amounts, as we are doing in Vietnam in support of our effort to preserve freedom and to resist the aggressive intent of international communism. The other is through diplomatic articulation of expression.

I favor the use of measured strength to defeat Communist aggression wherever it may occur. I also favor the elaboration and extension of diplomatic communication between the free world and the Communist world.

I feel, therefore, that ratification of the Consular Convention will be a step in the direction of the enhancement of the total strength and the total effectiveness of the American effort by both these parallel means to promote durable, honorable, and stable peace throughout the world.

It has often been argued that the Consular Convention is good, but that this is the wrong time, while we are locked in combat in southeast Asia.

I offer the proposition that it is precisely the right time and that, in fact, the impact of the ratification of the Consular Convention with the Soviet Union by the Senate, at the same time the United States is involved in conflict in Vietnam, is the surest sign of our total strength and the surest sign of our resolve to use both these weapons which are available to us; namely, the force of measured resistance to Communist aggression, as in Vietnam, and the elaboration, courageously undertaken, of further diplomatic objectives as personified by ratification of the Consular Convention.

This proposal, this convention, this ratification, has nothing to do, in my judgment, with trading with the enemy, with the matter of intensifying the war in Vietnam, or with offering an additional opportunity for Russia to supply or not to supply to the Vietnamese enemy the 80-plus percent of materiel of war, which the Soviets are now doing.

Were the Senate now considering an extension of East-West trade, an extension of the channels of commerce between the United States and Russia, then the argument of priorities could well be, and probably would be—and I know that I would argue—that now is not the time to extend trade with the Soviet Union,

because the Soviet Union is supplying substantially all the materiel of war to North Vietnam.

However, this is not the trade bill. This is not a proposal for the extension of an East-West trade pact. This is a treaty in the best interests of the United States, a treaty which clearly demonstrates the courage of the United States to stand up, elaborate, and extend diplomatic negotiations, and also to broaden the channels of opportunity for negotiations between the United States and the Communist world, at a time when we are locked in conflict in southeast Asia.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum; the time to be charged against both sides.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MANSFIELD. Mr. President, I yield 90 minutes, or an hour and a half, to the distinguished senior Senator from Colorado.

The ACTING PRESIDENT pro tempore. The Senator from Colorado is recognized for an hour and a half.

Mr. ALLOTT. Mr. President, the time allotted may seem to be a great length of time for one speech at this point, after so much has already been said on the Consular Treaty. However, prior to the time that any unanimous consent agreement had been reached for the discussion on the resolution of ratification, I had informed the majority leader that I had wished to discuss the matter at some length, and this allotment of time—within which I hope I shall be able to complete my remarks—is the result of our agreement at that time.

Mr. President, we have been on and off the debate on the Consular Treaty for a considerable length of time. A great deal of the discussion has centered around emotional aspects of the treaty, and much of the discussion on the floor itself, both pro and con, has been emotional.

What I hope to do this morning is to take a logical, cold, prospective view of the treaty and to discuss roughly three areas.

The first will be the détente, or the lack of détente—I think it is the latter—with Russia.

The second area will consist of discussing the arguments in favor of the treaty as they have been developed upon the floor. I have some 15 or 16 of those arguments to deal with, and I will follow that with a discussion of the arguments that have been utilized against the treaty. There will be some 14 of those.

I am not so presumptuous that I think my remarks will add a great deal to the total knowledge on this subject, but I am convinced that in the light of the emotionalism which has pervaded this country, this is an issue that the people of the country, and particularly the people of my own State, deserve to have—and have a right to have—discussed on a rather cold, objective basis.

I turn first to the arguments that have been used to indicate the presence of a détente with Russia. I would like here to refer to the speech which was given on March 14 in the Senate by the distinguished senior Senator from Nebraska [Mr. HRUSKA], in which the matter was discussed at great length. That can be found beginning on page 6590 of the CONGRESSIONAL RECORD of that date. It is a full and complete discussion, far more complete than I shall attempt at this time, of whether we are in a spirit of détente with Russia. It is a valuable document on that basis.

The first pronouncement which is made with respect to the presence of a détente is that the increased problems which the Soviet Union is having with Red China have caused the Soviet Union to turn increasingly to the West for assistance in solving the Chinese problem.

I do not believe this to be true. I think such a premise is premature at this time because the internal struggle in China is not yet resolved. If the struggle is resolved it will be resolved in a way which is not a direct confrontation between Russia and China.

It may well result in a Chinese leadership which, if not wholly alined with Russia and the Soviet Union, would be at least very akin to it and sympathetic to it in its thinking.

There is much evidence, I think, to indicate that the Soviet Union is making every possible effort to dictate the outcome of this struggle.

Second, as to the argument of the increasing problems of the Soviet Union and Red China, I call to the attention of everyone that there has been no break in the diplomatic relations between the U.S.S.R. and Red China. No such break has occurred, although each of the countries has sent several of the other government's people home.

There has been no such break in spite of the fact that there are numerous and constant reports of strained relations between these countries.

If we were to assume the existence of strained relations between Soviet Russia and China upon the basis of the reports, I think it unlikely that any other two civilized countries in the world in like circumstances would have failed to break off relations by this time.

Third, our understanding of the Soviet-Sino split comes mainly from newspaper reports which I believe are open to wide question when one considers their validity.

Reporters who are nonsympathetic to the Red Chinese and are generally not permitted to travel very freely within that country. Many of the previous reports of difficulty between the nations have often proved later to be inaccurate.

Fourth, many students of Sino-Soviet relations have pointed out that the split between the two Red powers may be at least in part another propaganda tool by the Communists to lull the free world into a false sense of security.

Mr. President, when I think of the many diversions that the Communists have used against us in the past few years, I do not consider that that is necessarily reaching out into the air for an argument.

Fifth, neither of those countries has ever renounced its intention of fighting the free world in any world confrontation. Any meaningful split between Russia and Red China would likely occur only after they had achieved their long-announced goal of world domination.

Sixth, and finally, on this point, if the Soviets are turning more toward the United States and the rest of the Western World, and away from Red China, how can the resolutions of the Tri-Continental Conference in Havana, in January 1966, be explained? At that conference, many policy resolutions were approved with the support of both of those Red factions. In fact, as nearly as I can determine, there was no evidence of a Red split at that conference. Even at that time, we must remember, most of the situations which are now discussed in our news media were in existence, although perhaps the situation in Red China was not so critical as it is now.

A second great argument relied upon by those who say that a détente exists is that because of the Soviet retreat during the Cuban missile crisis of 1962, the U.S.S.R. has been forced to accept the fact that her strategic missile capabilities cannot compare with those of the United States.

Contrary to this, testimony given very recently before a congressional committee by exiled Cubans indicates that there is a serious question as to whether there was, in fact, the kind of confrontation that our Government has told us existed and that the press has assumed existed at that time.

At that time, Mr. President, I was a delegate from the Senate to the United Nations General Assembly, having been appointed to that position by President Kennedy. I believe I had access to a great amount of information not available to the ordinary individual—although in our Government of the last few years it has been difficult, if not impossible, for any person to say that he has access to all the information. Based upon that experience, I tend to concur with those who say that the Cuban confrontation was not as great as we have been led to believe.

It will be recalled that the United States did not actually inspect ships leaving Cuba for the U.S.S.R. which supposedly had the missiles aboard. Therefore, the existence, and the type, and the capability of those missiles is still an open question. I have made the statement many times that we have never been sure that all the missiles were removed from Cuba, and this statement has never been contradicted by anyone in the Defense Department or the State Department or any other administration spokesman, that I know of. The fact is that we backed down at that time on our inspection which we had earlier insisted on in the so-called eyeball-to-eyeball confrontation.

Assuming the validity of the argument that a confrontation did occur and that the Soviet Union did indeed back down, was this in truth a real test of strategic

power and capabilities, or was it merely a case of the U.S.S.R. getting caught in a covert act of intimidation and then trying to salvage what face she could by purportedly removing the missiles? No matter which it was, the fact is that she did save face in the eyes of the world, even though the Americans were told otherwise.

The third argument used by those who say that we are now in a spirit and period of détente is that the U.S.S.R. setbacks in revolutionary activities around the world have shown that the Communist ideology is no longer workable and will not yield dividends; as a result, the U.S.S.R. has been forced into conducting its relations with other nations in an atmosphere of enlightened self-interest, as opposed to revolutionary demands of Communist ideology. In other words, the argument goes, they have renounced the ideology upon which their government is structured with respect to other nations. I do not believe that this is true.

Just last month, Communist Party boss Leonid Brezhnev said:

> We regard ourselves part and parcel of the world system of socialism, a detachment of the world army of fighters for freedom and for victory of socialism and communism all over the world.

Second, another piece of evidence, that the U.S.S.R. has not abandoned its ideology is its commitment through the Havana-based Tricontinental Conference to the broad based revolutionary struggle in Latin America, including armed struggle.

Third, a Pravda editorial of December 7, 1966, said:

> It has been shown that the securing of a peaceful international atmosphere increases the opportunity for victorious development of the class struggle by the proletariat and the struggle by the oppressed peoples for their social and national liberation in any form, including through national liberation wars.

This statement is very significant. Everyone should read that portion of the editorial which states that the securing of a peaceful international atmosphere increases the opportunity for the class struggle, which they intend to continue.

Next, the Vietcong representative to the Tricontinental Conference in Havana, Nguyen Duc Van, said on January 5, 1967:

> Within a short time there will not be just one Vietnam but many Vietnams, and the Yankees will not be able to handle so many attacks at the same time.

Lastly, with respect to this point, the Soviet Union is supplying 85 to 90 percent of all the weapons and material used to fight the United States in Vietnam—and I shall discuss this in greater detail later.

Another argument used to support the idea of a détente has been that the U.S.S.R. has actively been promoting more trade with the West to meet rising consumer demands of its people, and has been forced to adopt capitalistic incentives and techniques of management. Contrary to this, early in 1967, Premier Kosygin announced that this year's budget for the U.S.S.R. would substantially raise the expenditures for defense and would curtail increases in production of consumer goods and services to balance increased war production.

Second, the trade which the U.S.S.R. has been seeking has been in the area of strategic goods adaptable to war production—petrochemical plants, tire factories, automobile factories, steel, and so on.

Third, to the extent that the U.S.S.R. is able to obtain nonstrategic goods from the Western World, it is able to release more of its own resources for the fight against the so-called imperialists, which of course includes us; and at another time I shall discuss the relationship of this particular point to the question of what this treaty leads to in the future possibility with respect to a nonproliferation treaty or East-West trade agreements.

Fourth, the so-called adoption of capitalistic techniques of management overlooks the fact that the basis of socialism—state ownership of the means of production—has been totally unaltered.

On this basis, Mr. President, I should like to sum up this way. At a recent conference I attended in England, I found many people there were thinking that we have now entered upon an era or period of a détente with Russia. I submit that the facts speak otherwise, and that we cannot believe, we cannot act, upon the assumption that we are dealing with other than the same country we were dealing with 5 and 10 years ago or even 40 years.

Fifth, with respect to what has been submitted as evidence indicating a détente, those who claim that all is well between us and the Soviets point to the growing independence of Eastern Europe nations. This independence, they claim, indicates to the U.S.S.R. that it cannot maintain absolute control over its empire. They claim the Eastern European nations are detaching themselves from the U.S.S.R. and getting closer to the West. It is in fact true, as we all know, that there has been a growing spirit of independence in some of the so-called Iron Curtain countries.

However, one only has to visit one of these countries to recognize immediately that all of the elements of Communist government are present. There does exist a type of nationalistic communistic spirit which has grown in the last few years, but any man would be very foolish to think for a moment that this indicates that these countries are ready to leave the Communist camp and jump over into our side.

Polycentrism, in point of fact, serves to increase demands on U.S. strategy because we are forced to deal with many different Communist approaches.

In fact, it serves the advantage of the Soviet Union for the United States to treat the satellites as independent nations with respect to our trade with them, in that it leaves less of a commitment for the Soviet Union to meet.

Then, too, the Soviet Union still maintains a major and an essential control over each one of these countries. Certainly with respect to the Baltic States, Lithuania, Latvia, and Estonia, and with respect to Rumania, Bulgaria, and Hungary, it is a fact that the control of these countries is beyond any doubt still entirely in the hands of Russia.

The sixth argument, used as an argument indicating a détente, is that as a result of long years of terror and intimidation under the Stalinist regime, liberalization is the only path the Soviet Union can now follow. The refutation of this, in my mind, comes under three subheadings.

First. Most residents of the Soviet Union are now in the second generation of the revolution. They have never known anything but communism. Defections are less risky and thus some of the extreme terroristic measures used by Stalin to keep peasants in line are no longer necessary.

They have become psychologically adjusted to a government and a condition of living which is wholly Communist. The pressure is still there, but it has taken on new subtleties.

Second. Alexander Shelepin is the man behind the present new leadership of Brezhnev and Kosygin. His record of terror surpasses that of such notables as Stalin and Beria, the former director of the secret police. He is most likely to be the chief Soviet leader in a few years. His own statements betray a hard line that makes Stalin and Lenin look a bit revisionistic.

The next argument is that Rumania is often cited as one of the prime examples of this liberalization. Yet, as I pointed out a few moments ago, Rumania remains one of the strictest totalitarian Communist regimes in the bloc.

The next argument used by those indicating that there is a spirit of détente is that there are several concrete examples of the existence of such a détente between the United States and U.S.S.R., such as the nuclear test ban treaty, the treaty to ban nuclear weapons from outer space, and the cultural exchange program.

In this respect, any agreement that the Soviet Union signs must be viewed in light of the fact that her stated policy is to agree to only those measures which would be of permanent or temporary benefit to her.

Lenin once said that the Communist philosophy is based on taking one step backward in order to take two steps forward. His thoughts were seconded more recently by the Chinese party boss, Mao Tse-tung.

The Communists stand ready and willing to break any signed agreement at any time that it is to their advantage and act, as they always will, to blame the violation on the West.

With regard to the Limited Nuclear Test Ban Treaty, there is already some question whether or not the U.S.S.R. has abided by its terms since some people feel that they may have detonated nuclear devices underground, and then vented the underground chamber in such a way that the fallout is permitted to escape into the atmosphere.

As far as the cultural exchange program is concerned, the United States faithfully abided by its terms but this has not always been the case with the U.S.S.R. Recent examples of their lack of good faith include the cancellation in 1966 of the track meet with American

athletes in Los Angeles and the refusal to permit the Broadway show "Hello Dolly" to be presented in the U.S.S.R.

Mr. President, there is one final argument that has been used with respect to the fact that there is a détente, and that is the increase in trade between Eastern Europe and Western Europe, as well as increased U.S.S.R. trade with the West. These Communist bloc nations have recognized the West as having superior technology which permits them to purchase goods from the West at a lower cost than they could if they produced the goods themselves.

The repudiation of that argument is that neither the satellites nor the U.S.S.R. is interested in free and open trade, per se. They are, first of all, interested in our technology and our wealth, and if the West can provide this technology, it will be used against us and will be found competing against us in other places throughout the world.

Third. As opposed to the proposition of seeking this trade, the satellites and the U.S.S.R. are not willing to pay cash on the barrelhead or even agree to short-term arrangements, but they are insisting on long-term credits to finance such trade.

Fourth. Any and all trade with the U.S.S.R. or the satellite countries serves to strengthen the power of the military sector of their economy and is, therefore, inimical to the long-term security interest of the West, by permitting them to obtain goods for less than their production cost, thus permitting them to allocate more of their resources to production of their own weapons.

Mr. President, I believe that a good point to express at this time is that no matter what kind of trade we do with the Soviet bloc countries, whether it be in consumer goods or whether it be in critical areas such as tools, automobile plants, small parts, or things of that nature, the facts are that to the extent we trade with them we relieve the pressure on their economy permitting them to devote a like amount of the productivity to the purposes of world domination by Communists.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. ALLOTT. I yield.

(At this point, Mr. HOLLINGS assumed the chair.)

Mr. LAUSCHE. Arguments have been made that the purpose of Russia is not to develop trade between the nations of the West and Russia, but mainly to acquire the prototype production devices and to acquire the know-how by getting from the United States, installations that produce quickly and cheaply.

I should like to hear what the Senator from Colorado has to say about that argument. In other words, they say to us, "We are willing to engage in trade with you, in buying your prototype machines, in buying your chemical plants, from which we will be able to obtain knowledge how to build our own; and after we have attained that knowledge, we will compete with you in the world markets and beat you in them."

Mr. ALLOTT. I appreciate the comments of my friend from Ohio. I know his sincere feelings about the situation. Mine correspond with his entirely.

My feeling about East-West trade is not in accord with what our Government's attitude seems to be. The facts are that the Russians will do, and intend to do, exactly what the Senator has stated.

Mr. President, to sum up my remarks about the spirit of détente, I have given the various arguments that have been given to support the belief that there is a spirit of détente, and also the ones opposing these respective arguments, because I want to make it clear at this point that in my consideration of this treaty, I do not, for one minute, in any respect, swallow, concur in, nor condone the soft-headed thinking of those who believe that we are entering a new era, a new, soft friendship between the Soviet Union and the United States.

Thus, in discussing—as I now propose to do—the arguments which have been used in behalf of the convention, and the arguments which have been used against it, and then summing up my own position of support for the convention, I want to make it perfectly clear that my conclusions have been based upon cold, analytical reasoning in the light of the situation as I see it, and without the distortion or the belief in any respect that the United States is now in a spirit of détente with the Russians.

Mr. President, what are the arguments which have been used for the convention—and these are not necessarily in the order in which they have been raised?

The first argument which has been used for the convention is that article 12, paragraph 2 provides that the authorities of the receiving state shall immediately inform a consular officer of the sending state of the arrest or detention in other form of a national of the sending state; and the protocol provides that such notification shall take place within 1 to 3 days of the time of the arrest or detention. This is one of the determining factors of the protocol itself, which should stand by itself.

I believe that it must stand on its own feet. I am not swayed, nor persuaded, by the arguments which have been used on the floor of the Senate, and in the halls of the Senate in private conversations, that there are great and overwhelming reasons which cannot be discussed publicly why the convention must be approved.

In my opinion, we should look at the convention. I have inquired of the State Department, and I have been assured by them that there are no such other influences, no such other outside considerations existing at this time which cannot be discussed.

Thus, my decision on the convention is not based upon some nebulous allusion or reference to outside considerations that one of the leaders of the Senate, or others who have discussed this issue, have made at various times throughout the course of debate. It is based solely upon the merits of the convention itself and in the cold light of whether I believe that the total advantages to the United States on the basis of the convention itself are greater than the disadvantages to us.

First, the treaty provides protection for American citizens who visit the Soviet Union—18,000 of them last year, with a projected 20,000 this year of tourists and businessmen.

Mr. President, I am not unaware of the argument which has been used by many who say, "Let Americans stay at home. What do they want to do over there in the Soviet Union, anyway?"

The facts are that if we say to Americans, "Stay at home, you cannot go to the Soviet Union, whether for business purposes or as a tourist," we are violating one of the fundamental concepts of our Government, which is that Americans may go wherever they want, at any time they want to, subject only to such restrictions as we now have concerning North Vietnam, and like restrictions which have occurred during previous periods when we were at war.

The refutation has been made that while providing access and notification, the treaty does not provide any of the guarantees of due process in the Soviet Union which we enjoy under the American law.

Of course, that is true. It would be an invasion of the sovereign power of the Soviet Union, for us to try to compel them, within their sovereign state, to provide the same protection of due process that exists in America. But neither can we make such guarantees in any other country.

We can protect our citizens to the extent that our consulates will receive notice and the right of visitation, which in turn will permit our State Department to pursue whatever course of action is necessary and available to it to effect a release at an early date.

Second, it has been said that previous experience with the Soviet Union, during the time the Litvinov-Roosevelt agreement was in force, reflected Soviet willingness to interpret the provisions of the agreement to their own benefit. Their interpretation was that they were not obligated to notify or advise until after arrest, and that they could hold American citizens under investigation without any obligation of notice.

I believe that the present protocol does provide for this situation because it refers several times to arrest or other means of detention. Actually the words are "detention in other form."

I believe, after having read the protocol several times, that we are protected so far as words can protect; but, of course, there is no ironclad way in which we protect ourselves against the meanderings of the Soviet mind as to what it considers to be its right to promote the cause of communism. We can only be vigilant.

Then, of course, some people have said about this convention that the past record of the Soviet Union in abiding by treaties and agreements with other nations does not hold out much hope that it will live up to this agreement.

This is true to some degree, I suppose. Nevertheless, we are going to have to move forward.

The second argument for the convention is that article 12, paragraph 3 of the convention provides that a consular officer shall have the right without delay to visit and communicate with a national

of the sending state who is under arrest or otherwise detained in custody or is serving a sentence. The protocol provides that this right of access shall be provided within 2 to 4 days of the arrest or detention of such national, depending upon his location, and that this right of visitation shall be accorded on a continuing basis during arrest, detention, or imprisonment.

It has been asked in reference to this protocol, whether this right would apply to an American in Vladivostok, which is closed to Americans, or, because it is a closed city, would the Russians waive this portion of the convention and would we be unable to do anything about it?

In answer to this, first, there should not be an American in Vladivostok, since it is the duty of visitors to abide by the laws and regulations of the receiving state.

Second, as I look at the situation, the whole treaty itself is broad enough to cover this particular question even if the American was arrested at that place.

The next argument is, What is the difference in definition between "detention" in article 12, paragraph 2, and "otherwise detained in custody" in article 12, paragraph 3?

I assume, and I think we are entitled to assume, that outside of arrest these two terms are synonymous, and that any physical detention covers not only "detention in other form" but also the words "otherwise detained in custody."

The third argument that has been used against the convention is that article 19, paragraph 2, provides that consular officers and employees who are nationals of the sending state shall be immune from criminal jurisdiction of the receiving state. This is a reciprocal provision, and our consular officers and employees in the Soviet Union would have the same immunity.

Mr. President, it is a fact that initial conferences on the proposed treaty were started under the Eisenhower administration. It is a further fact that the immunity provisions did not come into this treaty until after 1960, when the Russians insisted upon them. Nevertheless, considering the criminal laws of the Soviet Union, considering the type of justice which is meted out there, considering the limited rights of their citizens, considering the complete dedication of the Soviets to the Communist ideology—considering all those facts, Mr. President, I think it would be impossible to conceive of sending a consul or secretaries, men or women, to work in a consulate in the Soviet Union unless they did have this protection.

We know, as Americans, that, except under war powers, which are not now in existence, it would be impossible to arrest a member of a Soviet consulate in this country and hold him in communicado for more than a very, very brief span of time.

Our Supreme Court has been very, very generous in assuring that people are not held, even to the extent of being questioned, as they should be, for the commission of crimes. So, on this side of the fence, we know that any Soviet member of a consulate who committed a crime or was suspected of committing a crime in this country would be assured, under our laws, of the right of communication with his country, or consul, or whomever he wished.

On the other hand, within the Soviet Union, we have no such right. So it seems to me, with respect to this argument, that the United States takes home far more than it gives. The Soviet members of the consulates here already would receive these rights basically, but without this treaty we have no such assurance that we would receive them in the Soviet Union. So it seems to me that upon this particular issue the balance is in our favor.

I do not think for a moment the Soviets are above framing an individual in a consulate who would happen to become persona non grata to them, trumping up charges against him, and even confining him if the Soviets could. Personally, I would not ask any American citizen to go to the Soviet Union as member of a consulate, whether they are telephone operators or whatever they may be, without the full protection that this treaty provides.

I regard the balance to be completely in our favor upon this question.

The fourth argument made with respect to the convention has been that a consulate establishment may be opened in the territory of the receiving state only with the state's consent. I think that is proper. This convention does not provide anything that does not exist in this respect. As has been stated on the floor of the Senate, the President could open consulates on agreement with the Russians, today or tomorrow or next day. Even after the convention is adopted, if it is adopted, consulates can be opened only reciprocally in the Soviet Union and the United States by the joint consent of the two states.

Article 28 provides that consular officers and employees have a duty to respect the laws and regulations of the receiving state, including traffic regulations.

It has been said that this is all fine and wonderful, but in a system of justice like theirs, we are not receiving a quid pro quo for this provision. The quid pro quo is that we would be able to enjoy the same immunity by the establishment of a consulate.

With regard to traffic regulations, it is a well-known fact that members of the diplomatic community are notorious for their disregard of traffic regulations. New York City is a case in point. Mayor Lindsay has instigated a policy of towing away diplomatic cars that block the streets in New York City; and anyone who has been there could see them blocking the streets almost any time of the day or night. This has created some bad feeling with some other areas of the world. Secretary Rusk admits that this particular area has caused difficulties for the State Department. It is still a problem that remains to be solved.

The sixth argument that has been used for the convention is that article II, paragraph 7 of the convention provides that we can, without having to explain our reasons, notify the Soviet Union that any consular officer will be expelled as being persona non grata, and that any employee proposed by them may similarly be declared unacceptable.

Many people have used the argument, "What good does it do to lock the barn door after the horse is gone?"

The facts are that we have had situations arise in this country, at the diplomatic level, which have been very painful, both to the other countries involved—sometimes countries friendly to us—and to the United States. So I think that the reciprocity feature of this provision is the main argument in its favor. In other words, we can screen, will screen, and do screen people who come to this country, and we would do so under the consular treaty.

The seventh argument is that we need this convention to provide the necessary protection for our own consular officers and employees. I have already alluded to this argument.

The one argument that has been used against the treaty is that, knowing the record of Soviet history as to abiding by any treaties or agreements, we might find that the Soviets would not abide by the protection and immunity afforded by this treaty to our people.

I think there is only one answer to that argument, Mr. President, and that is that if this treaty should be ratified, and if the President, subsequent to that time, should agree with the Soviet Union for the establishment of one consulate, we will say, in each of the respective countries, and after that time the Soviet Union were to abrogate in any respect this provision of immunity, it would be unthinkable to me that the United States had reached the place in its history where it had lost the courage to immediately, and without any hesitation, cancel the treaty and immediately withdraw its own consular members, and demand that the other countries do the same thing.

The eighth argument used for the convention is this: In addition to the protection provided for our consular personnel, this convention provides much-needed protection for the 18,000 or more American tourists who will visit the Soviet Union this year. That number is bound to increase.

I have already touched upon the argument that those people go there at their own risk. Yet, I repeat, it is our right to travel wherever we wish in this world except in areas where we may be at war. This is a general right which exists for all citizens. Therefore, the citizens who do go there are entitled to as much protection as we can give them; and if the treaty is affirmed, whether we establish mutual consulates in Russia and the United States or not, this right of visitation, which I have previously discussed, would still follow and exist for any American who was in the Soviet Union. The right of notification, the right of visitation—not only on one instance, but upon a continuing basis—would remain in force and effect as long as that person was detained by the Soviet Union.

I have already discussed to some degree the differences in the laws. There is no way that we can reconcile the basic qualities of the Soviet law, or the rights of due process under their law, with ours. We cannot compel them to accept our Constitution. What we can do is assure ourselves that no American will be ar-

rested and buried in some jail or in some detention camp indefinitely, without our knowing about it and being able to do something about it—at least to work on it.

The ninth argument used in behalf of the convention is that it does not provide for the establishment of one consulate, but provides the legal framework for its operations if one is to be opened.

As I have said, the President has the power to conduct foreign policy, and thus he may open consulates at any time he wishes to do so. No new consulates would be opened without further negotiations and further agreement with the Soviets.

The question has been asked: If the President has such power, why is this convention needed? The fact is that it is not necessary to have it in order to establish consulates with the Soviet Union. There are two chief reasons why this particular convention is to the benefit of the United States. First, it would protect American citizens in the Soviet Union; second, it would guarantee immunity to the members of the staffs of our consulates in that country. The protection afforded our citizens exists, and will continue to exist, whether the United States and the Soviet Union ever agree to the opening of consulates.

The 10th argument offered in behalf of the convention is that article 30, paragraph 2, provides that the convention may be renounced by either nation upon 6 months' notice of intent to cancel. In one sense, I regard the convention as a bridgebuilding effort with the Soviet Union. I say this in the same concept as the remarks I made earlier about the false sense of security that Americans feel, and have been led to feel every day, by the news media and by Members of this body and of the other body who speak in this way. But the fact is that the United States may renounce it.

The most effective argument I have heard against this particular argument for the convention is this: Upon the assumption that we ratify the treaty, and that consulates are opened in both countries, if we found that the Soviets were violating the convention in one or more respects, would the United States then yield to the hue and cry of extreme leftists, both here and abroad, that our renunciation of the treaty under this clause would result in a worsening of the world situation and cause more tension than now exists?

In such a situation, if we have entered upon this treaty, we would have no choice but to act upon the concept that if the Soviets violated it in any respect, we would have not only the obligation and the right, but an absolutely cold duty immediately to announce our renunciation of the convention.

While I should like to discuss the numerous events of the past few years which make me somewhat chary of the determination of the leadership in the executive branch of this country, nevertheless I think the fact ought to be clear here and now that some of us—I think most of us—who vote for this treaty do expect that in the event of a violation of the treaty by the Russians, there will be a cancellation and rescission of the treaty.

The 11th argument used in behalf of this convention is that the ratification will not affect our policy of nonrecognition of the Soviet absorption of the three Baltic nations, Estonia, Latvia, and Lithuania.

The United States, as a matter of fact, has not recognized the legality of that takeover, and the historical situations surrounding the takeover of Estonia, Latvia, and Lithuania could be the subject of a discussion upon this floor for many days, which discussion would not reflect too favorably upon the actions of our own country.

The fact is that if we had a situation arise under the treaty in any of these three countries, we would have to go through the Soviet Union in any event. The situation, in other words, is that, while actually we have not recognized the takeover of Lithuania, Estonia, and Latvia, we have as a de facto matter recognized it because of the Soviet control of these countries. So, there is an implied recognition of Soviet control, even though officially we give lipservice to the fact that we do not recognize their takeover by the Soviet Union.

The 12th argument used in behalf of the convention is that while it is unique at the outset, we cannot say it is a far-out concept or idea in the field of diplomatic relations inasmuch as both Japan and Great Britain have recently negotiated treaties along the same line. But it is important to note in this respect that those treaties have not been ratified.

The argument that has been used is: "Why don't we have treaties with Great Britain and Japan as favorable as those which we have with our enemies?"

The answer to that, of course, is that we just simply do not have the same problems in those countries with respect to protecting our people.

The 13th argument used with respect to the convention is that by placing problems concerning detention in routine channels and taking them out of the charged atmosphere at the high level of face-saving diplomacy, the convention would facilitate their settlement.

I think that while others might say that putting those problems in routine channels might reduce the effectiveness of our contacts and visitation with our nationals in the Soviet Union, the fact is that when we reach the high diplomatic level there are too many instances in which face saving plays too great a part in international politics, and international relations over one individual.

We will gain, in the net run, I believe, by the fact that this problem is reduced in rank and taken out of the high-level face-saving diplomacy of our State Department.

I believe another reason is that when a routine matter or a routine right is involved, we would face a situation at the top echelon in which we would probably have to give more and compromise more in order to effect our purpose.

The 14th general argument used for the ratification of the convention has been that it would not present any major threat to our internal security.

I must confess that in the initial study of this matter I was greatly concerned by the first remarks of Mr. J. Edgar Hoover a couple of years ago with respect to this aspect. However, on page 5 of the report of the Committee on Foreign Relations of the 90th Congress, appears a reference to President Johnson's statement in the February 2 press conference:

> There are presently 452 Soviet officials in the United States that have diplomatic immunity. So if an additional consulate were opened, and if another 10 were added to the 452, Mr. Hoover has assured me that this small increment would raise no problems which the FBI cannot effectively and efficiently deal with.

Then, in a letter to Senator FULBRIGHT, the distinguished chairman of the Committee on Foreign Relations, on page 2 of the 1967 hearings, dated January 20, Mr. Hoover stated:

> I advised Mr. Rusk on September 16, 1966, in answer to his letter of September 14, 1966, that he was basically correct in his assumption that rather than my opposing a Consular Treaty, I had pointed out to a House Appropriations Subcommittee the possibilities of an increased problem of internal security proportionate to the number of consulates to be established. I did not imply that this problem could not be handled by the Federal Bureau of Investigation.

The figure of 10 or 15 increase is the one that has been used most commonly. As a matter of fact, however, we do not know what the respective countries would negotiate, if and when they decided to establish consulates.

The question also has been raised, in opposition to this treaty, that Poland and Yugoslavia now enjoy the most-favored-nation treatment, and that if the convention is ratified, they can request that we extend to them similar privileges and immunities, thus increasing the Communist subversive opportunities in this country. To this statement there are two answers.

First, consulates can be established only upon a mutual basis, and this would have to be done subsequent to the ratification of the treaty—that is, with the same terms that are contained in this treaty. The other answer, the second one, is that both of these countries have indicated that they do not now desire consulates in this country.

While I am as concerned as anyone else with our own internal security, the assurance of Mr. Hoover, that it does not present an overall security problem which places it significantly out of line with the one we now have, is sufficient, in my mind, to eliminate this objection to the convention.

The 15th argument is that the ratification of this convention is one more step in the process of building bridges to the Communist world. Mr. President, what are the alternatives to this process of building bridges? It is very easy to reason with your glands. It is difficult, in a world where American boys are being killed—killed by weaponry which is supplied by the Russians—to see the advantage of trying to build one more bridge, which I have said I believe to be to our advantage, toward the Communist world. But what are the alternatives?

The first alternative that appears to me is that of severing diplomatic rela-

tions. I even receive letters from people who tell me that we should sever diplomatic relations with the Communist world. But I am certain that these people do not consider that we close all lines of straight communication with the Communist world if we do this. I am certain that they do not consider that we take from ourselves our eyes and ears for listening posts in those countries. So I believe that the first alternative is unrealistic in our present situation.

The second alternative would be to simply preserve the status quo, which is in itself a euphemism. Either you go forward or you go backward. There is no status quo in international affairs. In fact, I doubt whether there is a real status quo anywhere.

The third alternative is to move forward. We are moving forward at this time only in a very narrow segment of our international relations. But the failure to build such bridges as are advantageous to us is one that can only lead to a withdrawal, and isolation, from the rest of the world, and denies us the opportunity to understand what is going on in the rest of the world.

American leadership in building bridges has resulted in the nuclear test ban treaty, the cultural exchange program, the hot line to Moscow, and, tomorrow, the nonstop flights from New York City to Moscow.

This is, in addition, the first treaty of a bilateral nature between the United States and the U.S.S.R. But I caution again, Mr. President, that any bridge-building must be done with a long memory and a healthy skepticism about Communist intentions. We should not delude ourselves by subscribing to the banal notion of a detente. Therefore, in taking this step toward just a very narrow bridge, we should be aware of the complete history of the Soviet Union, and we should look at it in the coldest, hardest light, as to the benefits to be received by the United States vis-a-vis the benefits to be received by the Soviet Union.

I would have liked to have expanded greatly on the chief arguments in favor of the convention. But due to the time limitation with which I am faced, and in line with my announced purpose to try to take both sides of the matter and present them, for the sake of the record, I shall have to turn rather rapidly to the arguments against the convention.

The first argument is that it represents a diplomatic triumph for the Soviet Union and that the Soviets would use it for added respectability in their propaganda effort.

First, I do not believe that the Soviet Union cares one whit about respectability. Their minds and their ideology are not oriented to this effort. It is the United States which sought this treaty in the first instance, not the U.S.S.R. As far as respectability is concerned, if this is an argument, it might hurt Russia rather than help her with her sister Communist state of China.

The second argument used is that it goes beyond the Vienna Convention which we have signed but not ratified, but which does not grant unrestricted immunity to consular officers and employees and which may go into effect on March 19. A discussion of this can be found on page 293 of the hearings and the reasons why the State Department has not submitted it to the Senate for its advice and consent.

It seems to me, with respect to this argument against it, first, the Vienna Convention would not properly protect our consular personnel and we are vitally interested in this. Second, the Soviet Union has not signed, ratified, or acceded to the Vienna Convention. Third, the access and notification provision of the Vienna Convention provides only notification of arrest or detention "without delay" and consular access without any indication of timing.

So, Mr. President, what we receive in this treaty, which we would not get under the Vienna Convention are two specific things in this area, in that we receive prompt notice under the specific terms of the treaty, within 1 to 3 days, and the right, within 2 to 4 days to have consular access to anyone who is arrested.

Lastly, I would say with respect to this chief argument, the second argument against the convention, that it would be unthinkable, as I said before, for us to open a consulate without having this immunity.

The next argument is that the real espionage danger is not to the United States but countries south of us. At the present time the U.S.S.R., so the argument runs, is recognized by only 4 of the 20 non-Communist Latin American countries, and the U.S.S.R. will use the Consular Convention for the purposes of encouraging recognition by the 16 American governments that now do not recognize it.

Mr. President, in refutation of this argument, I would say that the United States has recognized the U.S.S.R. since 1933, for nearly 34 years, and in this 34 years there are 16 Latin American countries that have still not recognized U.S.S.R. In view of this I find the argument to lack substantive persuasion.

Next, under the most-favored-nation clause no country would have to open consulates in the U.S.S.R. except upon mutual consent.

The fourth argument used against the convention is that the provision extending absolute immunity from criminal prosecution to consular officials and employees will lead to the similar extension of the same privileges to the 27 most favored nations. The argument used against this particular point, and which I believe in, is, first, that the convention contains provisions which afford protection against abuse by nations regarding immunity from criminal prosecution. The right of the receiving state is still protected to declare consular officers persona non grata, and consular employees not acceptable.

Secondly, all persons enjoying immunity from criminal jurisdiction are obliged to respect the laws and regulations of the receiving state, including traffic regulations, and that includes the members of our consulate over there. The fact that they are required under the treaty to respect the laws of the receiving states even if they should violate it, of course, does not abrogate their immunity.

Third, the convention also contains a number of measures to protect against and safeguard against the danger of subversion. Officers and employes of the consulate would be subject to the same screening and entry control as officials and employees of the Soviet Embassy in Washington. They would be subject to the same travel restrictions which apply to diplomatic personnel.

Fourth, as far as the 27 most favored nations are concerned, the State Department has said that only 11 of these showed any interest in this type of reciprocal agreement.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a card which indicates the procedure for the screening of employees of consulates.

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

SCREENING OF EMPLOYEES OF CONSULATES

1. Name of person is furnished by USSR.

2. State distributes to all security agencies, who in turn furnish a report on whatever information they have on the subject.

3. State then makes a decision as to whether it will recommend to the Attorney General the waiver of Section 212(a)(28) of the Immigration Act (8 USC 1182(a)(28))—this subsection deals with the denial of visa, and the reasons or grounds enumerated would be sufficient to exclude every Soviet citizen—member of, affiliated with, or otherwise associated with the Community Party. (The language is more complicated and covers many other aspects of subversives, etc.)

4. The visa clearance is the same as any other Soviet citizen, and may be revoked at any time.

SCREENING OF OFFICERS OF CONSULATES

1. Essentially the same procedure as above except that subsection (28) would not apply. However, they could proceed under subsection (27) and (29), which would also be applicable to employees. (27) covers any activities which may be adverse to the "public interest". (29) covers espionage, sabotage, public disorder, or other subversive activities, also any activity in opposition to or in effort to control or overthrow our Government or joins, affiliates, or participates in any activities of Communist organization in the U.S.

2. In all cases, employees or Consular officers, State Department can refuse the visa without giving any justification.

Mr. ALLOTT. The next argument against the convention is that it is foolish in view of Soviet continued international warlike activity, its presence in Cuba, subversion in Latin America, friction-creating activities in Mid and Near East, and in supplying arms to the North Vietnamese.

This, perhaps, is the most difficult argument of all to face. It is most difficult for those of us who feel so strongly about the war in Vietnam, about the justification and the righteousness of our position in Vietnam. I suppose for the many of us who served in the armed services, and most of us have, this argument comes home very closely. I must say with respect to this that the convention is not a condoning in any respect of the immoral—and I wish that there were a stronger word to use—Soviet activities there.

The PRESIDING OFFICER. The 90 minutes of the Senator have expired.

Mr. MANSFIELD. Mr. President, I yield the Senator 15 additional minutes.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 15 additional minutes.

Mr. ALLOTT. I wish that there were a stronger word with relation to Soviet activities there.

But the fact remains that the basic purpose of the convention is to establish a consular relationship for the protection of our consular personnel and tourists in the Soviet Union. Thoughtful people are not so naive as to believe that the convention would change the Soviet objectives but the facts are that it is just one more small connection in which we may ultimately hope to break down the tensions which exist between us.

The next argument used against the convention is that the Soviet record of infidelity on earlier agreements is well known. The Soviets have not reacted with favor toward our previous demonstrations of good will. I refer to the nuclear test ban treaty, the cultural exchange program, increased opportunity for Americans to travel to the Soviet Union, the setting up of the presence of the hot line, and the most recent Moscow to New York air run.

The seventh argument used against the convention is that if someone had suggested signing such a convention as this with Germany in 1942—and other remarks along this line—while our boys were being killed, it would never have been approved.

Mr. President, that was an entirely different situation. We had broken diplomatic relations with Germany at that time and had declared war on them. Our consulates were closed, as were our embassies.

The second answer to it is that, we did not have American citizens traveling in Germany at that time, so that there was no hope for or reason to have a convention with Germany.

The eighth argument used against the convention is that a treaty of this nature would make more sense under an administration which had a firm foreign policy.

I am prone to agree with that. While I cannot discuss it at length now, because of time considerations, I believe that it is an element to be considered. I have already indicated that I shall vote for the treaty, with the express understanding that if the Soviets violate it, we expect the executive, firmly and immediately, to exercise the provisions that terminate the treaty.

And, of course, our whole foreign policy would make more sense if we enjoyed an administration with a firm and nonvacillating foreign policy.

The next argument is that it is only part of a bigger package, such as the outer space treaty, the nonproliferation treaty, and East-West trade. The Senator from Nebraska, as well as the Senator from South Dakota, have raised these questions.

Personally, I am considering the pending treaty on its merits, and this one treaty alone. When other treaties come before the Senate for ratification, they will have to stand on their own merits and be judged according to the performance the Soviets show under the pending treaty.

The alternatives, as I have said, are three in number; namely, to break of diplomatic relations with the Soviet Union—which I think is unthinkable; to maintain the status quo, which cannot be done; or to move ahead with such contacts as we prudently can.

The 10th argument being used against the convention, both by the Senator from Connecticut [Mr. DODD] and the Senator from South Dakota [Mr. MUNDT], is that it would appreciably affect the morale of American soldiers in Vietnam. Mr. President, my mail does not indicate this. I have had no letters from soldiers in Vietnam indicating that if this treaty is signed, it will affect their morale.

We saw no demoralization as a result of the hearings held in the Committee on Foreign Relations, or in demonstrations in this country, and the open opposition to our policies by some Members of this body, which is continuing today throughout the United States—opposition which is highly publicized throughout the world.

Certainly, if there was no lowering of the morale of our great men in Vietnam—and they are great—when so many Members of our own body, and the other body, are opposing the President, and thus, opposing the very position which puts our boys in Vietnam, then I cannot see how the opening of consulates which will provide this country with eyes and ears in another country, and provide the kind of protections which we need, will affect the morale of our boys in Vietnam.

The 11th argument is that the protection and assistance provided in the convention to American citizens are minimal. They are minimal, in the sense that they do not guarantee the same rights that our citizens enjoy in this country; but, neither are Soviet citizens guaranteed the same rights.

With regard to the 12th argument that the convention would increase the danger of subversion, I have already referred to the statements made by the President, and by J. Edgar Hoover.

Even the Senator from Connecticut [Mr. DODD] recognized this in his individual comments in the committee report:

> The FBI, if it is provided with additional funds and additional agents can probably deal with the problem of that increased espionage.

I think it fully possible, Mr. President, that Congress will see to it that J. Edgar Hoover will be provided such funds.

The 13th argument is the example held up by the proponents of Soviet infidelity on agreements and treaties, and particularly of the Litvinov-Roosevelt agreement of 1933.

First, I should like to point out that this was 34 years ago. In any event, there is a serious question as to the situation on the Litvinov-Roosevelt understanding, since it ceased to have effect in its full nature on the outbreak of war between Germany and the Soviet Union.

I refer particularly to page 9 of the report where the Senator from South Dakota [Mr. MUNDT] admits anyhow that—

> It is a debatable point whether this undertaking on the part of the Soviet Union is still legally valid.

The 14th argument is that the opponents of the convention also state that instead of having the agreement, we should see to it that the Litvinov-Roosevelt agreement is enforced.

Of course in the "never-never" land with respect to the Litvinov-Roosevelt agreement which has been discussed here interminably, this may seem to be a reasonable approach, but in answer to this I point out part of a letter from the Assistant Secretary of State, Douglas MacArthur, II, February 1967, in which he said:

> The legal deficiences of the Litvinov 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.

The final argument is that the Soviet Presidium has not yet ratified the convention.

My answer to that is simply that the convention will not come into effect, and the President will not have to put it into effect, until the treaty has been approved by the Soviet Presidium.

SUMMATION OF ARGUMENTS

Mr. President, earlier, I spent considerable time refuting any idea that a detente exists between the United States and the U.S.S.R. I did this primarily to point out that my vote in favor of ratification of this convention was in no wise based upon the fallacy that a detente exists. As a high official in the Swiss Government once said to me:

> Anyone who believes that the Communists will coexist peacefully with the Western democracies believes that the lion will lie down with the lamb and become a vegetarian.

I agree with that statement, but by the same token lions are tamed. They may never be tamed to such an extent that we can trust them or turn our backs on them—we must be eternally vigilant.

It was Patrick Henry who said, "Eternal vigilance is the price of liberty." It is no less true in foreign affairs than it is within our own country. But to not tame the lion leaves him free to ravage the earth, and to live in constant dread of him. The lion can also be caged or contained. But to contain or to tame him, we must understand his characteristics, know his objectives, and most of all, be aware of his movements. To do this, we must be in a position to observe him.

There is, of course, another alternative—beard the lion in his den; but this can only be prudently done while the lion is still a cub. Only the foolhardy would try to beard a full-grown lion in his den, unless he possessed such overwhelming power to render the risk minimal.

As I see it, the question of detente between the United States and the U.S.S.R. does not go to the heart of this issue. While it may be germane to some degree, it is not and should not be the basis for any Senator's vote. We are not voting on whether we should have or should not have a detente because this is beyond our power. In order to achieve a detente,

both the United States and the U.S.S.R. must desire it, and we have no direct control over the desires of the Soviets.

We are considering a Consular Convention—an agreement in which I believe we get more than we give. The bargain is in our favor. We have 18,000 to 20,000 citizens who visit Russia annually and who will be the beneficiaries of the protection contained in the agreement as opposed to some 600 to 800 Russians who visit the United States annually. This convention must be looked upon for what it is—and that only. The worst thing we could do is to delude ourselves into believing that this convention is something more than it is—to make ourselves believe that suddenly we have made some sort of breakthrough, and all will suddenly become sweetness and light. It will not.

What, then, can we expect? We can expect the world situation to remain pretty well as it is. No drastic changes. We will have to continue to keep up our defenses. But also, we may begin to see some bridges built between us. There will be traffic on those bridges, and our concern will then be in assessing and directing that traffic. Some of that traffic will be detrimental and some beneficial. Our concern will be with achieving a favorable balance.

This, then, is one of the three alternatives available to us in our relationship with the Soviet Union. The other two are to maintain the status quo, or to sever all relations and withdraw into ourselves. Reduced to its simplest terms, there are only three alternatives: to move forward, to stand still, or to move backward.

It is essentially impossible for us to maintain the status quo. Regardless of what action we take with regard to this convention, we will have changed to some degree, for better or for worse, our relationship with the Soviet Union.

With this alternative eliminated, we have only two alternatives left: to move forward, or to move backward. If we select the course of moving backward, we are almost certainly going to find ourselves in a position of confrontation. Confrontation may be necessary in certain circumstances—when the other alternatives are too odious to contemplate—but, confrontation should not be intentionally sought by any peace-loving nation. It should be and is, in my opinion, a last resort.

The third, and last remaining alternative is to move forward. While I believe this is desirable, I do not advocate throwing caution to the wind. Quite the contrary, I urge the administration, and the Congress, and the people of this country to redouble their vigilance. Constitutionally, the executive branch is charged with the responsibility of conducting our foreign policy, but in order to make this convention meaningful, the administration must carry out our foreign policy with clarity, vigor, and courage.

I hope that the Senate will be willing to take the affirmative step toward lessening of tensions which this convention may help to achieve. The debates of the past few days are replete with the reasons for taking this affirmative action, and show an awareness of the risks which concern us all in taking this action. These debates put the Soviet Union on notice, as well as the rest of the world, that the Congress of the United States is made up of men of honorable intentions who expect the Soviet Union to respond with equal honor.

Mr. President, I, personally, am willing to help in taking this affirmative step, expecting as I do so that this administration will finally begin to conduct our foreign policy with clarity, vigor, and courage. I hereby serve notice on the administration that if, for any reason, I feel they are lax in their job I will demand a full accounting and I urge other Senators to do likewise, for I believe that it is incumbent upon the administration to advise the Senate on a continuing basis of Soviet compliance with the terms of this convention.

With all this in mind, and with need for vigilance paramount in my mind, I shall cast my vote in support of ratification.

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

Mr. ALLOTT. I yield.

Mr. CASE. I appreciate, as an individual and as a Member of the distinguished class of the 84th Congress in which we entered the Senate together, the tremendous contribution made by the Senator from Colorado; and I congratulate him for it.

Mr. ALLOTT. I thank the Senator.

## ORDER FOR ADJOURNMENT TO MONDAY NEXT

Mr. MANSFIELD. Mr. President, as in legislative session, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock Monday next.

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

## AUTHORIZATION FOR RECEIVING OF MESSAGES AND SIGNING OF BILLS DURING ADJOURNMENT

Mr. MANSFIELD. Mr. President, as in legislative session, I ask unanimous consent that during adjournment of the Senate from the close of business today until noon Monday, March 20, 1967, the Secretary of the Senate be authorized to receive messages from the President of the United States and from the House of Representatives, and that the Vice President be authorized to refer any such messages received to the appropriate committees and that the Vice President, the President pro tempore, or the Acting President pro tempore be authorized to sign any duly enrolled bills; and that committees be authorized to file reports. I further ask unanimous consent that the Committee on Appropriations be authorized to file any notices to suspend rule XVI for offering legislation to any appropriation bill, which it might report.

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

## REPORTS OF COMMITTEES ON EXPENDITURE OF CERTAIN FUNDS

Mr. HAYDEN. Mr. President, as in legislative session, in accordance with the Mutual Security Act of 1954, as amended, I ask unanimous consent to have printed in the RECORD the reports of Committee on Agriculture and Forestry, the Committee on Appropriations, the Committee on Foreign Relations, together with several separate interparliamentary group reports, the Committee on Government Operations, and the Committee on the Judiciary, concerning the foreign currencies and U.S. dollars utilized by those committees and groups in 1966 in connection with foreign travel.

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

*Report of expenditure of foreign currencies and appropriated funds by the Committee on Agriculture and Forestry, U.S. Senate, expended between Jan. 1 and Dec. 31, 1966*

| Name and country | Name of currency | Lodging | | Meals | | Transportation | | Miscellaneous | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| Senator Walter F. Mondale: | | | | | | | | | | | |
| India | Rupee | 54.50 | 11.48 | 41.62 | 8.61 | | | 12.88 | 2.87 | 109 | 22.96 |
| Japan | Yen | 17,536 | 48.72 | 9,750 | 27.00 | 1,296 | 3.60 | 7,418 | 20.68 | 36,000 | 100.00 |
| Thailand | Baht | 212.00 | 10.32 | 256.40 | 12.38 | | | 64.10 | 3.09 | 532.50 | 25.79 |
| Vietnam | Dollar | 2,910.80 | 40.00 | 8,732.40 | 20.00 | 1,746.48 | 24.00 | 1,164.32 | 16.00 | 14,554.00 | 200.00 |
| Total | | | 110.52 | | 167.99 | | 27.60 | | 42.64 | | 348.75 |

RECAPITULATION

| | Amount |
|---|---|
| Foreign currency (U.S. dollar equivalent) | $348.75 |

MARCH 8, 1967.

ALLEN J. ELLENDER,
*Chairman, Committee on Agriculture and Forestry.*

*Report of expenditure of foreign currencies and appropriated funds by the Committee on Appropriations, U.S. Senate, expended between Jan. 1 and Dec. 31, 1966*

| Name and country | Name of currency | Lodging | | Meals | | Transportation | | Miscellaneous | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| Senator Allen J. Ellender: | | | | | | | | | | | |
| Mexico | Peso | | | | | | | | | 1,873.50 | 150.00 |
| Colombia | do | | | | | | | | | 1,620.00 | 100.00 |
| Bolivia | do | | | | | | | | | 1,521.82 | 128.15 |
| Chile | Escudo | | | | | | | | | 669.40 | 61.92 |
| Argentina | Peso | | | | | | | | | 6,500.00 | 26.53 |
| Uruguay | do | | | | | | | | | 1,740.00 | 23.08 |
| Peru | Sol | | | | | | | | | 1,000.00 | 37.31 |
| Brazil | Cruzeiro | | | | | | | | | 50,000.00 | 22.73 |
| Paraguay | Guarani | | | | | | | | | 27,250.00 | 216.27 |
| Surinam | Guilder | | | | | | | | | 87.50 | 46.79 |
| Venezuela | Bolivar | | | | | | | | | 100.00 | 22.00 |
| Bahamas | Pound | | | | | | | | | 29+ | 82.00 |
| Haiti | Gourde | | | | | | | | | 303.00 | 60.60 |
| Jamaica | Pound | | | | | | | | | 17.17.8 | 50.00 |
| Cost of transportation | German mark | | | | | | 1,198.84 | | | | 1,198.84 |
| Senator Thomas H. Kuchel: | | | | | | | | | | | |
| Switzerland | do | | | | | 254.08 | 63.68 | | | 254.08 | 63.68 |
| Do | Swiss franc | | | | | | | 9.70 | 2.45 | 9.70 | 2.45 |
| Senator Gale W. McGee: | | | | | | | | | | | |
| Spain | Peseta | 5,294.00 | 88.23 | 593.00 | 9.88 | | | 265.00 | 4.42 | 6,152.00 | 102.53 |
| Turkey | Lira | 151.75 | 16.86 | 67.25 | 7.47 | | | | | 219.00 | 24.33 |
| Iraq | Dinar | | | 0.700 | 1.96 | | | 1.800 | 5.04 | 2.500 | 7.00 |
| Iran | Rial | 1,000.00 | 13.33 | 500.00 | 6.67 | | | 2,250.00 | 30.00 | 3,750.00 | 50.00 |
| Do | U.S. Dollar | | 6.17 | | | | | | | | 6.17 |
| Afghanistan | Afghani | 950.00 | 13.58 | 1,650.00 | 23.57 | | | 500.00 | 7.15 | 3,100.00 | 44.30 |
| Pakistan | Rupee | | | 13.00 | 2.60 | | | 15.00 | 3.00 | 28.00 | 5.60 |
| India | do | 110.75 | 14.77 | 32.00 | 4.27 | | | 1,796.78 | 239.56 | 1,939.53 | 258.60 |
| Nepal | do | 16.00 | 2.11 | | | | | 225.75 | 29.80 | 241.75 | 31.91 |
| Burma | Kyat | 277.00 | 11.79 | | | | | 735.00 | 31.28 | 1,012.00 | 43.07 |
| Thailand | Baht | 919.50 | 44.70 | 60.00 | 2.92 | | | 2,106.00 | 102.38 | 3,085.00 | 150.00 |
| Do | U.S. Dollar | | 25.90 | | | | | | 50.00 | | 75.90 |
| Malaysia | Malay dollar | 66.62 | 21.86 | 36.00 | 11.81 | | | | | 102.62 | 33.67 |
| Indonesia | Rupiah | 16,925.00 | 138.72 | | | 650.00 | 5.33 | 6,825.00 | 55.95 | 24,400.00 | 200.00 |
| Do | U.S. Dollar | | 24.70 | | | | | | | | 24.70 |
| Senator Milton R. Young: | | | | | | | | | | | |
| Germany | Mark | | | | | 75.00 | 1,887.22 | | | 75.00 | 1,887.22 |
| Hong Kong | Hong Kong dollar. | 400.71 | 69.89 | 200.36 | 34.95 | | | 66.79 | 11.65 | 667.85 | 116.49 |
| Philippines | Peso | 470.44 | 120.65 | 180.94 | 46.41 | 116.85 | 30.09 | 72.38 | 18.56 | 840.60 | 215.71 |
| Do | U.S. dollar | | | | | | | | 23.00 | | 23.00 |
| Thailand | Baht | 1,907.00 | 92.72 | 1,526.00 | 74.18 | | | 381.00 | 18.54 | 3,814.00 | 185.44 |
| Do | U.S. dollar | | | | | | | | 29.40 | | 29.40 |
| Vietnam | Vietnamese dollar. | | | 2,100 | 17.79 | 900 | 7.63 | | | 3,000 | 25.42 |
| Do | U.S. dollar | | | | | | | | 10.00 | | 10.00 |
| Japan | Yen | 37,200 | 102.83 | 217.00 | 59.99 | 28,675 | 79.65 | 3,100 | 8.57 | 90,675 | 251.04 |
| Col. William B. Arnold: | | | | | | | | | | | |
| Cost of transportation | U.S. dollar | | | | | | 1,793.80 | | | | 1,793.80 |
| United States | do | | 69.97 | | 17.62 | | | | 29.73 | | 117.32 |
| Philippine Islands | do | | 6.00 | | 6.27 | | 2.84 | | | | 15.11 |
| Vietnam | Piaster | 15,000 | 150.00 | 7,917 | 79.17 | | | 2,600 | 26.00 | 25,517 | 255.17 |
| Do | U.S. dollar | | 4.00 | | 39.73 | | 5.00 | | 6.90 | | 55.63 |
| Thailand | Baht | 1,188 | 57.90 | 428.65 | 20.83 | 816 | 39.66 | 967.22 | 47.02 | 3,399.87 | 165.41 |
| Do | U.S. dollar | | | | 1.50 | | | | 7.00 | | 8.50 |
| Hong Kong | Hong Kong dollar. | 528 | 92.63 | 282.03 | 49.47 | | | 202.70 | 35.56 | 1,012.73 | 177.66 |
| Do | U.S. dollar | | | | 11.10 | | | | 13.86 | | 24.96 |
| Taiwan | New Taiwan dollar. | 1,650 | 41.25 | 432 | 10.77 | 400 | 10.00 | 1,751.80 | 43.78 | 4,233.80 | 105.80 |
| Do | U.S. dollar | | | | | | | | 3.25 | | 3.25 |
| Okinawa | do | | 4.00 | | 9.70 | | | | .58 | | 14.28 |
| Tokyo | Yen | 13,068 | 36.30 | 12,319 | 34.22 | 720 | 2.00 | 3,977 | 11.04 | 30,084 | 83.56 |
| Kenneth J. Bousquet: | | | | | | | | | | | |
| Japan | do | 13,200 | 36.67 | 12,300 | 34.17 | 28,679 | 79.65 | 6,000 | 16.67 | 60,179 | 167.16 |
| Hong Kong | Hong Kong dollar. | 190.40 | 33.08 | 315.00 | 54.73 | 85.00 | 14.77 | 57.85 | 10.05 | 648.25 | 112.63 |
| Vietnam | Vietnam dollar | | 9.00 | 2,450 | 20.75 | 340 | 2.89 | 1,020 | 8.65 | 3,810 | 41.29 |
| Thailand | Baht | 2,772 | 134.77 | 3,035.05 | 147.55 | 719.95 | 59.01 | 182.50 | 8.88 | 6,709.50 | 350.21 |
| Philippines | Peso | 175 | 44.80 | 150.00 | 38.40 | 175.28 | 44.90 | 14.27 | 3.65 | 514.55 | 131.75 |
| Germany | Mark | | | | | 7,530 | 1,887.22 | | | 7,530 | 1,887.22 |
| Patricia M. Byrne: | | | | | | | | | | | |
| Germany | do | | | | | 7,530.00 | 1,887.22 | | | 7,530.00 | 1,887.22 |
| Hong Kong | Hong Kong dollar. | 279.13 | 48.84 | 223.30 | 39.07 | | | 55.82 | 9.77 | 558.25 | 97.68 |
| Philippines | Peso | 336.88 | 86.37 | 269.50 | 69.10 | 116.85 | 30.09 | 67.38 | 17.27 | 790.61 | 202.83 |
| Do | U.S. dollar | | | | | | | | 24.00 | | 24.00 |
| Thailand | Baht | 3,447.25 | 167.60 | 2,068.35 | 100.55 | 689.45 | 33.52 | 689.45 | 33.52 | 6,894.50 | 335.19 |
| Do | U.S. dollar | | | | | | | | 21.00 | | 21.00 |
| Vietnam | do | | | | | | | | 8.00 | | 8.00 |
| Japan | Yen | 12,950 | 35.97 | 103.60 | 28.78 | 26,875 | 79.65 | 2,590 | 7.19 | 54,575 | 151.59 |
| Robert B. Clark: | | | | | | | | | | | |
| Brazil | Cruzeiro | 157,000 | 71.40 | 172,500 | 78.38 | 17,000 | 7.70 | 23,500 | 10.70 | 370,000 | 168.18 |
| Chile | Escudo | 42.12 | 8.08 | 155.38 | 31.00 | | | | | 197.50 | 39.08 |
| Argentina | Peso | 11,613 | 56.96 | 31,820 | 149.86 | | | 2,767 | 16.20 | 46,200 | 223.02 |
| Peru | Sol | 1,239.50 | 46.30 | 2,732.50 | 102.10 | 161 | 6.00 | 177 | 6.60 | 4,310 | 161.00 |
| United States | U.S. Dollar | | | | | | 6.00 | | 5.00 | | 11.00 |
| Do | German mark | | | | | 4,070.52 | 1,025.00 | | | | 1,025.00 |
| Paul J. Cotter: | | | | | | | | | | | |
| Spain | Peseta | 2,160 | 36.00 | 1,860 | 31.00 | 132.60 | 2.21 | 265.20 | 4.42 | 4,417.80 | 73.63 |
| Do | | | | | | 10,485 | 175.00 | | | 10,485 | [1] 175.00 |
| Turkey | Turkish lira | 103.5 | 11.50 | 72 | 8.00 | 63 | 7.00 | 61.47 | 6.83 | 300 | 33.33 |
| Iraq | Dinar | | | 2.9 | 8.12 | | | 1 | 2.80 | 3.9 | 10.92 |
| Do | | | | | | 32 | 89.00 | | | 32 | [1] 89.00 |
| Iran | Rial | 1,116 | 14.86 | 498.75 | 6.65 | | | 386.25 | 5.15 | 2,000 | 26.66 |
| Do | | | | | | 3,000 | 40.00 | | | 3,000 | [1] 40.00 |
| Afghanistan | Afghani | 1,150 | 16.43 | 609.7 | 8.71 | | | 140 | 2.00 | 1,900 | 27.14 |
| Pakistan | Pakistan rupee | 166.80 | 34.75 | 63.20 | 13.17 | | | 20 | 4.16 | 250 | 52.08 |

See footnote at end of table.

*Report of expenditure of foreign currencies and appropriated funds by the Committee on Appropriations, U.S. Senate, expended between Jan. 1 and Dec. 31, 1966*—Continued

| Name and country | Name of currency | Lodging | | Meals | | Transportation | | Miscellaneous | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| Paul J. Cotter—Continued | | | | | | | | | | | |
| India | Rupee | 150 | 20.00 | 800.52 | 106.75 | 63.75 | 8.50 | 243.85 | 32.38 | 1,268.48 | 167.63 |
| Do | | | | | | 2,794.13 | 372.55 | | | 2,794.13 | [1] 372.55 |
| Nepal | Rupee | | | 30.28 | 4.00 | | | 15.52 | 2.05 | 45.75 | 6.05 |
| Burma | Kyat | 134.59 | 5.72 | 92.25 | 3.50 | | | 24.44 | 1.04 | 341 | 10.26 |
| Thailand | Baht | 1,021.50 | 49.66 | 469.80 | 22.50 | 380.60 | [1] 18.50 | 134.70 | 6.55 | 2,006.58 | 97.21 |
| Malaysia | Malaysian dollar. | 44.37 | 14.56 | 26.21 | 8.60 | | | 12.95 | 4.25 | 83.53 | 27.41 |
| Do | | | | | | 6,000 | 19.79 | | | 6,000 | [1] 19.79 |
| Indonesia | New rupiah | 16,524.90 | 135.45 | 6,039.0 | 49.50 | 793 | 6.50 | 1,043.10 | 8.55 | 24,400.00 | 200.00 |
| Edward E. Davis: | | | | | | | | | | | |
| France | Franc | 345 | 70.41 | 302 | 61.63 | 160 | 32.65 | 173 | 35.31 | 980 | 200.00 |
| Italy | Lira | 30,062.50 | 48.10 | 32,593.75 | 52.15 | 14,125.00 | 22.60 | 16,968.75 | 27.15 | 93,750 | 150.00 |
| India | Rupee | 473 | 60.88 | 298 | 38.36 | 14,231.41 | 1,895.50 | 394.38 | 50.76 | 15,396.79 | 2,045.50 |
| Thailand | Baht | 1,357.10 | 65.98 | 1,296.00 | 63.00 | 72.00 | 3.50 | 360.40 | 17.52 | 3,085.50 | 150.00 |
| Malaysia | Malaysian dollar. | 183.47 | 60.20 | 150.25 | 49.30 | 10.27 | 3.37 | 97.53 | 32.00 | 441.52 | 144.87 |
| Hong Kong | Hong Kong dollar. | 578.15 | 100.60 | 452.70 | 78.77 | 106.00 | 18.43 | 300.00 | 52.20 | 1,436.85 | 250.00 |
| Japan | Yen | 21,571 | 59.92 | 18,301 | 50.84 | 1,605 | 4.46 | 12,523 | 34.78 | 54,000 | 150.00 |
| Joe E. Gonzales: | | | | | | | | | | | |
| Mexico | U.S. dollar | | 168.00 | | 117.00 | | 8.00 | | 67.32 | | 360.32 |
| Panama | do | | 42.00 | | 27.00 | | 5.00 | | 14.72 | | 88.72 |
| San Salvador | do | | | | | | 3.00 | | 2.00 | | 5.00 |
| Costa Rica | do | | 18.00 | | 20.00 | | 5.00 | | 5.00 | | 48.00 |
| Peru | do | | 62.30 | | 36.00 | | 24.48 | | 6.00 | | 128.78 |
| Transportation | do | | | | | | 521.00 | | | | 521.00 |
| New Zealand | New Zealand pound. | 8/20/0 | 25.20 | 6/12/0 | 18.48 | 2/0/0 | 5.60 | 1/0/0 | 2.80 | 18/12/0 | 52.08 |
| Australia | Australian dollar. | 105.00 | 117.60 | 89.60 | 100.35 | 7.28 | 8.15 | 32.12 | 35.98 | 234.00 | 262.08 |
| Singapore | U.S. dollar | | 27.54 | | 22.50 | | 4.92 | | 4.00 | | 58.96 |
| Lebanon | Lebanese pound. | 99.00 | 31.43 | 94.50 | 30.00 | 33.35 | 10.58 | 44.90 | 14.25 | 271.75 | 86.26 |
| Italy | Lira | 12,000 | 19.20 | 31,800 | 50.88 | 2,000 | 3.20 | 7,250 | 11.60 | 53,050 | 84.88 |
| Transportation | Dutch guilder | | | | | 6,859.54 | 1,900.15 | | | 6,859.54 | 1,900.15 |
| Edmund T. King: | | | | | | | | | | | |
| France | Franc | 345 | 70.41 | 296.50 | 60.51 | 55.65 | 11.36 | 132.85 | 27.11 | 830 | 169.39 |
| Italy | Lira | 27,420 | 43.87 | 28,250.00 | 45.20 | | | 4,100.00 | 6.56 | 59,770 | 95.63 |
| India | Rupee | 315 | 41.95 | 149.10 | 19.86 | 14,231.41 | 1,895.50 | 151.28 | 20.15 | 14,846.79 | 1,977.46 |
| Thailand | Baht | 1,350 | 65.63 | 1,275.50 | 62.01 | 90.00 | 4.37 | 370.00 | 17.99 | 3,085.50 | 150.00 |
| Malaysia | Malaysian dollar. | 180 | 59.07 | 135.18 | 44.36 | 12.92 | 4.24 | 28.42 | 9.32 | 356.52 | 116.99 |
| Hong Kong | Hong Kong dollar. | 525 | 91.34 | 460.00 | 80.04 | 100.00 | 17.40 | 251.85 | 43.82 | 1,336.85 | 232.60 |
| Japan | Yen | 21,562 | 59.89 | 18,298.00 | 50.83 | 3,300.00 | 9.17 | 10,840.00 | 30.11 | 54,000.00 | 150.00 |
| Vorley M. Rexroad: | | | | | | | | | | | |
| Germany | Mark | | | | | 7,154.4 | 1,793.80 | | | | 1,793.80 |
| United States | U.S. dollar | | 55.94 | | 18.53 | | | | 38.44 | | 112.91 |
| Philippines | do | | 6.00 | | 6.52 | | | | 1.34 | | 13.86 |
| Vietnam | Piaster | 24,300 | 243.00 | 468 | 4.68 | | | 1,929 | 19.29 | 26,697 | 266.97 |
| Do | U.S. dollar | | 4.00 | | 39.72 | | 5.00 | | 6.90 | | 55.62 |
| Thailand | Baht | 1,188 | 57.75 | 437.95 | 21.29 | 917 | 45.55 | 868.21 | 42.21 | 3,411.16 | 166.80 |
| Do | U.S. dollar | | | | 1.50 | | | | 5.00 | | 6.50 |
| Hong Kong | Hong Kong dollar. | 660 | 115.78 | 116.43 | 20.42 | | | 203.85 | 34.00 | 980.28 | 170.20 |
| Do | U.S. dollar | | | | 6.55 | | | | 12.12 | | 18.67 |
| Taiwan | New Taiwan dollar. | 1,650 | 41.25 | 180.72 | 4.50 | 400 | 10.00 | 1,538.10 | 38.27 | 3,768.82 | 94.02 |
| Do | U.S. dollar | | | | | | | | 3.70 | | 3.70 |
| Okinawa | do | | 4.00 | | 10.00 | | | | 1.08 | | 15.08 |
| Tokyo | Yen | 13,067 | 36.60 | 8,247 | 22.90 | 725 | 2.01 | 2,157 | 5.99 | 24,197 | 67.50 |
| Raymond L. Schafer: | | | | | | | | | | | |
| United Kingdom | Pound | 20.5.8 | 56.57 | 15.8.10 | 43.06 | 25.11.7 | 71.36 | 5.3.8 | 14.47 | 66.9.9 | 185.46 |
| Belgium | Belgian franc | 525 | 10.50 | 475 | 9.50 | | | | | 1,000 | 20.00 |
| France | French franc | | | | | 4,515.64 | 912.99 | | | 4,515.64 | 912.99 |
| West Germany | Deutsche mark | 260 | 65.00 | 190 | 47.50 | 83.20 | 20.80 | 66.80 | 16.70 | 600.00 | 150.00 |
| Italy | Lira | 76,878 | 123.40 | 80,118 | 128.60 | 12,273 | 19.70 | 17,631 | 28.30 | 186,900 | 300.00 |
| Spain | Peseta | 7,393 | 123.40 | 8,303 | 138.60 | 2,181 | 36.41 | 1,078 | 18.00 | 18,955 | 316.41 |
| United States | U.S. Dollar | | | | | | 150.80 | | | | 150.80 |
| France | Franc | 228 | 46.53 | 319 | 65.10 | 110 | 22.45 | 78 | 15.92 | 735 | 150.00 |
| West Germany | Deutsche mark | 196.70 | 49.18 | 172.10 | 43.02 | 31.20 | 7.80 | | | 400 | 100.00 |
| Italy | Lira | 13,865.08 | 22.15 | 11,955.89 | 19.10 | 5,258.09 | 8.40 | 1,420.94 | 2.27 | 32,500 | 51.92 |
| India | Rupee | 412.00 | 54.87 | 303.00 | 40.36 | 14,461.79 | 1,926.18 | | | 15,176.79 | 2,021.41 |
| Thailand | Baht | 1,356.90 | 65.87 | 1,242.60 | 60.32 | 1,865.40 | 90.55 | 246.00 | 11.94 | 4,710.90 | 228.68 |
| Malaysia | Malaysian dollar. | 187.99 | 61.78 | 149.55 | 49.15 | 208.74 | 68.60 | 81.24 | 26.70 | 627.52 | 206.23 |
| Hong Kong | Hong Kong dollar. | 568.90 | 98.98 | 461.50 | 80.30 | 128.70 | 22.39 | 277.75 | 48.33 | 1,436.85 | 250.00 |
| Japan | Yen | 21,562 | 59.89 | 18,298 | 50.83 | 10,940 | 30.39 | 6,840 | 19.00 | 57,640 | 160.11 |
| Walter J. Stewart: | | | | | | | | | | | |
| Guatemala | U.S. Dollar | | 64.80 | | 49.60 | | | | 21.40 | | 135.80 |
| El Salvador | do | | 11.00 | | 12.40 | | | | 7.86 | | 31.26 |
| Transportation | do | | | | | | 302.20 | | | | 302.20 |
| William W. Woodruff: | | | | | | | | | | | |
| Germany | Mark | | | | | 7,530 | 1,887.22 | | | 7,530 | 1,887.22 |
| Japan | Yen | 23,700 | 65.84 | 18,960 | 52.67 | 28,679 | 81.45 | 4,740 | 13.16 | 76,078 | 213.12 |
| Hong Kong | Dollar | 319.13 | 55.71 | 25,530 | 44.56 | | | 6,383 | 11.14 | 63,825 | 111.41 |
| Philippines | Peso | 236.88 | 60.62 | 18,950 | 48.49 | 11,685 | 30.09 | 4,738 | 12.12 | 59,060 | 151.32 |
| Thailand | Baht | 1,845 | 89.68 | 1,476 | 71.75 | | | 369 | 17.94 | 3,689 | 179.37 |
| Do | U.S. dollar | | | | | | | | 25.40 | | 25.40 |
| Vietnam | Vietnamese dollar. | | | 5,089 | 43.12 | 1,454 | 12.32 | 727 | 6.17 | 7,270 | 61.61 |
| Do | U.S. dollar | | | | | | | | 8.00 | | 8.00 |
| Total | | | | | | | | | | | 38,063.03 |

See footnote at end of table.

*Report of expenditure of foreign currencies and appropriated funds by the Committee on Appropriations, U.S. Senate, expended between Jan. 1 and Dec. 31, 1966*—Continued

RECAPITULATION

| | Amount |
|---|---|
| Foreign currency (U.S. dollar equivalent) | 33,706.43 |
| Appropriated funds: Government department (identify each): | |
| Department of Agriculture | 620.06 |
| Department of State | 11.00 |
| Department of Defense | 2,514.76 |
| Post Office Department | 607.32 |
| Treasury Department | 544.50 |
| USIA | 58.96 |
| Total | 38,063.03 |

CARL HAYDEN,
*Chairman, Committee on Appropriations.*
MAR. 16, 1967.

[1] Group expense.

*Report of expenditure of foreign currencies and appropriated funds by the Committee on Foreign Relations, U.S. Senate, expended between Jan. 1 and Dec. 31, 1966*

| Name and country | Name of currency | Lodging | | Meals | | Transportation | | Miscellaneous | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| Frank Church: | | | | | | | | | | | |
| Germany | Deutsche mark | | | | | 4,717.33 | 1,177.75 | | | 4,817.33 | [1] 1,177.75 |
| England | Pound | | | 38-16-6 | 107.71 | 32-16-7 | 91.93 | 12-0-0 | 33.60 | 83-5-10 | 233.24 |
| Switzerland | Franc | 90.00 | 20.86 | 51.20 | 11.87 | | | 86.33 | 20.01 | 227.53 | 52.74 |
| France | Franc | 308.00 | 62.86 | 164.45 | 33.56 | 97.00 | 19.79 | 165.55 | 33.79 | 735.00 | 150.00 |
| Germany | Deutsche mark | | | 8.00 | 2.00 | 230.36 | 57.74 | 78.00 | 19.50 | 316.00 | 79.24 |
| Joseph S. Clark: | | | | | | | | | | | |
| Germany | Deutsche mark | | | | | 3,321.00 | 830.27 | | | | [2] 830.27 |
| Switzerland | Franc | 288.20 | 67.13 | 54.00 | 12.42 | | | | | | 79.55 |
| France | Franc | | | | | 6,170.00 | 1,260.03 | | | 6,170.00 | [3] 1,260.03 |
| Poland | Zloty | 1,417.65 | 21.81 | 150.00 | 2.31 | 3,513.90 | 54.06 | | | 5,081.55 | 78.18 |
| U.S.S.R. | Ruble | 161.69 | 179.66 | 52.59 | 58.43 | 9.00 | 10.00 | 1.80 | 2.00 | 225.08 | 250.09 |
| Yugoslavia | Dinar | 1,136.75 | 90.94 | 25.00 | 2.00 | 187.50 | 15.00 | 18.75 | 1.50 | 1,368.00 | 109.44 |
| Czechoslovakia | Crown | 575.00 | 40.07 | 645.40 | 44.98 | 143.50 | 10.00 | 13.06 | .91 | 1376.96 | 95.96 |
| Greece | Drachma | 1047.30 | 34.91 | 820.00 | 27.32 | 1010.00 | 33.67 | | | 2877.30 | 95.90 |
| Jordan | Dinar | 1.499 | 4.20 | 6.111 | 17.12 | 8.169 | 22.87 | 1.013 | 2.84 | 16.792 | 47.03 |
| Israel | Pound | 159.00 | 53.00 | 116.85 | 38.95 | 155.91 | 51.97 | 8.73 | 2.91 | 440.49 | 146.83 |
| United Arab Republic | do | 6.918 | 12.42 | 21,924 | 39.36 | 13.212 | 23.72 | 2.044 | 3.67 | 44.098 | 79.17 |
| Claiborne Pell: | | | | | | | | | | | |
| Austria | Schilling | 1,651.86 | 64.20 | 1,20159 | 46.70 | 116.00 | 4.51 | 280.90 | 10.96 | 3250.35 | 126.37 |
| France | Franc | 326.34 | 66.60 | 218.78 | 44.65 | 233.00 | 47.55 | 25.72 | 5.25 | 803.84 | 164.05 |
| Germany | Deutsche mark | 155.01 | 38.85 | 108.53 | 27.20 | 4,046.76 | 1,014.23 | 35.71 | 8.95 | 4346.01 | [1] 1089.23 |
| Italy | Lira | 11469 | 18.35 | 10,500 | 16.80 | 4062.50 | 6.50 | 5218.75 | 8.35 | 31250.25 | 50.00 |
| Rumania | Lei | 206.71 | 17.40 | 134.24 | 11.30 | 597.81 | 50.32 | 47.04 | 3.96 | 985.80 | 82.98 |
| Switzerland | Franc | | | | | 100.60 | 23.25 | | | 100.60 | 23.25 |
| Eugene J. McCarthy: | | | | | | | | | | | |
| Netherlands | Guilder | | | | | 1,712.06 | 473.60 | | | 1,745.60 | [4] 473.60 |
| France | Franc | 458.00 | 93.47 | 383.67 | 78.30 | 88.45 | 18.05 | 49.88 | 10.18 | 980.00 | 200.00 |
| United Kingdom | Pound | 31.6.8 | 88.70 | 28.2.8 | 79.20 | 19.8.0 | 53.75 | 9.9.2 | 27.74 | 89.6.8 | 249.39 |
| Ireland | do | 15.5.8 | 43.60 | 13.3.8 | 37.50 | 4.4.6 | 12.50 | 2.2.7 | 6.40 | 35.6.9 | 100.00 |
| Gale McGee: | | | | | | | | | | | |
| Thailand | Baht | 1.198 | 58.20 | 1,081 | 52.50 | 448 | 21.75 | 220 | 10.70 | 2,947 | 143.15 |
| Vietnam | Piaster | | | 5,157 | 43.70 | 1,103 | 9.35 | 1,340 | 11.36 | 7,600 | 64.41 |
| Frank Carlson: | | | | | | | | | | | |
| Netherlands | Guilder | | | | | 3,038 | 837.84 | | | | [5] 837.84 |
| Switzerland | Franc | 429.50 | 92.25 | 434.75 | 110.59 | 51.15 | 11.00 | 41.85 | 9.00 | 957.25 | 222.84 |
| Clifford Case: Germany | Deutsche mark | | | | | 5,302.80 | 1,329.02 | | | 5,302.80 | [6] 1,329.02 |
| Pat Holt: | | | | | | | | | | | |
| Germany | do | | | | | 2,242.40 | 562.01 | | | 2,242.40 | [1] 562.01 |
| Dominican Republic | Peso | 87.50 | 87.50 | 96.83 | 96.83 | 15.10 | 15.10 | 64.57 | 64.57 | 264.00 | 264.00 |
| Haiti | Gourde | 517.50 | 103.50 | 175.50 | 35.10 | 28.00 | 5.60 | 154.00 | 30.80 | 875.00 | 175.00 |
| Jamaica | Pound | 16.16.0 | 47.04 | 13.14.3 | 38.39 | 3.13.10 | 10.34 | 9.4.11 | 25.89 | 43.9.0 | 121.66 |
| Guatemala | Quetzal | 44.40 | 44.40 | 43.20 | 43.20 | 6.15 | 6.15 | 6.25 | 6.25 | 100.00 | 100.00 |
| El Salvador | Colón | 165.00 | 66.00 | 161.70 | 64.68 | 53.35 | 21.34 | 69.95 | 27.98 | 450.00 | 180.00 |
| Honduras | Lempira | 112.35 | 56.18 | 103.78 | 51.89 | 24.40 | 12.20 | 59.47 | 29.73 | 300.00 | 150.00 |
| British Honduras | British Honduran dollar. | 33.60 | 24.00 | 28.15 | 20.11 | 4.00 | 2.86 | 4.25 | 3.03 | 70.00 | 50.00 |
| Nicaragua | Córdoba | 437.50 | 62.50 | 366.70 | 52.39 | 137.00 | 19.57 | 158.80 | 22.68 | 1100.00 | 157.14 |
| Costa Rica | Colón | 300.80 | 45.44 | 260.75 | 39.39 | 38.65 | 4.33 | 71.80 | 10.84 | 662.00 | 100.00 |
| Panama | Dollar | | 50.00 | | 73.15 | | 30.00 | | 42.50 | | 195.65 |
| Donald G. Henderson: | | | | | | | | | | | |
| England | Pound | | | | | 24.16.0 | 69.44 | | | 24.16.0 | 69.44 |
| France | Franc | 338.60 | 69.10 | 217.05 | 44.30 | 105.00 | 21.43 | 63.00 | 12.86 | 723.65 | 147.69 |
| Belgium | Franc | 1,050 | 20.79 | 2,206 | 43.68 | 810 | 16.04 | 325 | 6.44 | 4,391 | 86.95 |
| France | Franc | | | | | 5,561 | 1,134.90 | | | 5,561 | [3] 1,134.90 |
| Denmark | Kroner | 115 | 16.67 | 118 | 17.10 | 35 | 5.07 | 17 | 2.46 | 285 | 41.30 |
| Japan | Yen | 17,760 | 49.33 | 32,255 | 89.60 | 49,380 | 137.17 | 9,360 | 26.00 | 108,755 | 302.10 |
| Philippines | Peso | 69.99 | 17.10 | 158.50 | 40.67 | 92.40 | 23.71 | 28.00 | 7.19 | 348.89 | 88.67 |
| Seth Tillman: | | | | | | | | | | | |
| Germany | Deutsche mark | | | | | 3,212.20 | 830.13 | | | 3,212.20 | [1] 830.13 |
| Brazil | Cruzeiro | 135,700 | 61.65 | 368,510 | 167.40 | 57,354 | 26.05 | 73,211 | 33.26 | 634,775 | 288.36 |
| Colombia | Peso | | | 565.27 | 35.00 | 178.32 | 11.04 | 147.31 | 9.12 | 890.90 | 55.16 |
| Argentina | Peso | 6,400 | 29.77 | 6,635 | 30.86 | | | 3,265 | 15.18 | 16,300 | 75.81 |
| Chile | Escudo | 259.20 | 54.45 | 368.76 | 77.47 | | | 82.04 | 15.14 | 710.00 | 147.06 |
| Peru | Soles | 1,870.00 | 69.78 | 3,112.80 | 116.15 | 3,477.26 | 129.75 | 1,366.40 | 50.98 | 9,826.46 | 366.66 |
| James G. Lowenstein: | | | | | | | | | | | |
| Germany | Deutsche mark | | | | | 4,315.33 | 1,077.02 | | | 4,315.33 | [1] 1,077.02 |
| England | Pound | 34.10.0 | 96.61 | 24.18.4 | 69.77 | 8.16.8 | 24.73 | 4.0.0 | 11.21 | 72.5.0 | 202.32 |
| Switzerland | Franc | 79.65 | 18.75 | 44.42 | 10.30 | | | 41.45 | 9.61 | 165.52 | 38.66 |
| Belgium | do | | | | | | | 500.00 | 10.35 | 500.00 | 10.35 |
| France | do | 396.00 | 80.82 | 417.80 | 85.27 | 300.20 | 61.24 | 111.00 | 22.67 | 1,225.00 | 250.00 |
| Germany | Deutsche mark | | | | | 150.00 | 37.59 | | | 150.00 | 37.59 |
| France | Franc | | | | | 4,567.73 | 933.92 | | | 4,567.73 | [3] 933.92 |
| Poland | Zlotys | 1,920.75 | 29.55 | 150.00 | 2.31 | 3,610.64 | 75.17 | 144.95 | 2.23 | 5,826.34 | 109.26 |
| U.S.S.R. | Rubles | 123.30 | 137.00 | 40.00 | 44.44 | | | 1.69 | 1.88 | 164.99 | 183.32 |
| Yugoslava | Dinars | 357.00 | 28.56 | 25.00 | 2.00 | 37.50 | 3.00 | 12.50 | 1.00 | 432.00 | 34.56 |
| Czechoslovakia | Crowns | 795.13 | 55.41 | 111.90 | 7.79 | 279.40 | 19.47 | 48.65 | 3.39 | 1,235.08 | 86.06 |
| Hungary | Forints | 1,789.92 | 37.29 | 796.32 | 16.59 | 384.00 | 8.00 | 96.00 | 2.00 | 3,066.24 | 63.88 |
| Rumania | Lei | 442.53 | 37.25 | 36.00 | 3.03 | | | 12.47 | 1.05 | 491.00 | 41.33 |

See footnotes at end of table.

*Report of expenditure of foreign currencies and appropriated funds by the Committee on Foreign Relations, U.S. Senate, expended between Jan. 1 and Dec. 31, 1966*—Continued

| Name and country | Name of currency | Lodging | | Meals | | Transportation | | Miscellaneous | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| William B. Bader: | | | | | | | | | | | |
| Iran | Rials | 7,050 | 95.00 | 4,781.25 | 63.79 | 4,500 | 60.00 | 565 | 6.21 | 16,896.25 | 225.00 |
| Jordan | Dinar | | | 3,567 | 10.00 | | | | | 3,567 | 10.00 |
| Lebanon | Pound | 63.80 | 20.00 | 62.21 | 19.50 | 33.50 | 10.50 | | | 159.51 | 50.00 |
| Total | | | 2,780.92 | | 2,458.62 | | 12,976.89 | | 748.08 | | 18,964.51 |

[1] German deutsche marks used to pay for commercial air transportation to the countries visited.
[2] German deutsche marks used to pay for commercial air transportation to and from Switzerland.
[3] French francs used to pay for commercial air transportation to the countries visited.
[4] Dutch guilder used to pay for commercial air transportation to the countries visited.
[5] Dutch guilder used to pay for commercial air transportation to and from Switzerland.
[6] German deutsche marks used to pay for commercial air transportation to and from Israel for dedication of Knesset (Parliament) building.

RECAPITULATION

| | Amount |
|---|---|
| Foreign currency (U.S. dollar equivalent) | 18,768.86 |
| Appropriated funds: S. Res. 214 | 195.65 |
| Total | 18,964.51 |

J. W. FULBRIGHT,
*Chairman, Committee on Foreign Relations.*
MARCH 9, 1967.

*Report of expenditure of foreign currencies and appropriated funds by Interparliamentary Union, U.S. group, expended between Jan. 1 and Dec. 31, 1966*

| Name and country | Name of currency | Lodging | | Meals | | Transportation | | Miscellaneous | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| Ross Bass: | | | | | | | | | | | |
| Lebanon | Pound | 51.00 | 16.00 | 35.85 | 11.20 | | | 6.15 | 1.90 | 93.00 | 29.10 |
| Jordan | Dinar | 4.840 | 13.55 | 3.170 | 8.90 | | | | | 8.010 | 22.45 |
| Iran | Rial | 10,352.00 | 138.02 | 9,344.00 | 124.58 | | | 2,110.00 | 28.13 | 21,806.00 | 290.73 |
| Do | U.S. dollar | | | | | | | | 51.25 | | 51.25 |
| Wallace Bennett: | | | | | | | | | | | |
| United States | do | | 58.76 | | 26.55 | | | | .60 | | 85.91 |
| New Zealand | Pound | 16-10-0 | 47.19 | 4-2-6 | 11.79 | | | | | 20-12-6 | 58.98 |
| Australia | Australian dollar. | 58.00 | 65.03 | 24.71 | 27.69 | | | 2.25 | 2.52 | 84.96 | 95.24 |
| Hiram Fong: | | | | | | | | | | | |
| Lebanon | Pound | 51.00 | 16.00 | | | | | 6.15 | 1.90 | 57.15 | 17.90 |
| Jordan | Dinar | 4.840 | 13.55 | 1.610 | 4.50 | | | | | 6.450 | 18.05 |
| Iran | Rial | 10,352.00 | 138.02 | 3,357.00 | 44.76 | | | 2,550.00 | 34.00 | 16,259.00 | 216.78 |
| Albert Gore: | | | | | | | | | | | |
| United States | U.S. dollar | | 58.76 | | 22.61 | | | | 3.13 | | 84.50 |
| Australia | Australian dollars. | 58.00 | 65.03 | 87.37 | 97.56 | | | 12.22 | 13.68 | 157.59 | 176.27 |
| Philip A. Hart: | | | | | | | | | | | |
| Lebanon | Pound | 42.00 | 13.20 | 10.10 | 3.20 | | | 5.05 | 1.50 | 57.15 | 17.90 |
| Jordan | Dinar | 3.520 | 9.85 | 1.135 | 3.18 | | | | | 4.655 | 13.03 |
| Iran | Rial | 7,592.00 | 101.22 | 3,286.00 | 43.80 | | | 2,650.00 | 35.33 | 13,528.00 | 180.35 |
| Thomas H. Kuchel: | | | | | | | | | | | |
| Lebanon | Pound | 51.00 | 16.00 | 16.00 | 5.00 | | | 86.15 | 26.90 | 153.15 | 47.90 |
| Jordan | Dinar | 4.840 | 13.55 | 4.895 | 13.70 | | | | | 9.735 | 27.25 |
| Iran | Rial | 10,352.00 | 138.02 | 9,608.00 | 128.10 | | | 4,355.00 | 58.05 | 24,315.00 | 324.17 |
| Edward V. Long: | | | | | | | | | | | |
| United States | U.S. dollar | | 58.76 | | 59.68 | | 6.00 | | 17.35 | | 141.79 |
| New Zealand | Pound | 16/10 | 47.19 | 9/5/9 | 26.55 | | | | | 25/15/9 | 73.74 |
| Australia | Australian dollar. | 50.0 | 56.05 | 26.30 | 29.49 | | | 4.50 | 5.05 | 80.80 | 90.59 |
| A. S. Mike Monroney: | | | | | | | | | | | |
| United States | U.S. dollar | | 58.76 | | 12.73 | | | | .20 | | 71.69 |
| New Zealand | Pound | 16/11 | 47.19 | 3/4/6 | 9.21 | | | | | 19/14/6 | 56.40 |
| Australia | Australian dollar. | 58.00 | 65.03 | 16.70 | 18.74 | | | 2.35 | 2.63 | 77.05 | 86.40 |
| A. Willis Robertson: | | | | | | | | | | | |
| Lebanon | Pound | 42.00 | 13.20 | 63.85 | 20.00 | | | 5.05 | 1.50 | 110.90 | 34.70 |
| Jordan | Dinar | 3.520 | 9.85 | 1.410 | 3.95 | | | | | 4.930 | 13.80 |
| Iran | Rial | 7,592.00 | 101.22 | 7,355.00 | 98.05 | | | 2,895.00 | 38.60 | 17,842.00 | 237.87 |
| Hugh Scott: | | | | | | | | | | | |
| Lebanon | Pound | 51.00 | 16.00 | 3.35 | 1.10 | | | 1.50 | .50 | 55.85 | 17.60 |
| Jordan | Dinar | 4.840 | 13.35 | 3,410 | 9.55 | | | | | 8.250 | 22.90 |
| Iran | Rial | 10,352.00 | 138.02 | 3,183.00 | 42.44 | | | 2,335.00 | 31.14 | 15,870.00 | 211.60 |
| Milward Simpson: | | | | | | | | | | | |
| United States | U.S. dollar | | 58.76 | | 16.58 | | | | .40 | | 75.74 |
| New Zealand | Pound | 16/10 | 47.19 | 3/3 | 9.00 | | | | | 19/13 | 56.19 |
| Australia | Australian dollar. | 58.00 | 65.03 | 21.80 | 24.43 | | | .70 | .78 | 80.50 | 490.24 |
| Ralph Yarborough: | | | | | | | | | | | |
| United States | U.S. dollar | | 58.76 | | 33.35 | | | | 2.53 | | 94.64 |
| New Zealand | Pound | 16/10 | 47.19 | 2/9/6 | 7.06 | | | | | 18/19/6 | 54.25 |
| Australia | Australian dollar. | 58.00 | 65.03 | 16.75 | 18.79 | | | 9.10 | 10.21 | 83.85 | 94.03 |
| Lebanon | Pound | 51.00 | 16.00 | 15.50 | 5.10 | | | 80.00 | 25.00 | 146.50 | 46.10 |
| Jordan | Dinar | 4.840 | 13.55 | 2.025 | 5.70 | | | | | 6.865 | 19.25 |
| Iran | Rial | 10,352.00 | 138.03 | 5,167.00 | 68.90 | | | 2,830.00 | 37.73 | 18,349.00 | 244.66 |
| Carolyn Allnutt: | | | | | | | | | | | |
| Lebanon | Pound | 42.00 | 13.20 | 3.95 | 1.25 | | | 5.05 | 1.50 | 51.00 | 15.95 |
| Jordan | Dinar | 3.520 | 9.85 | | | | | | | 3.520 | 9.85 |
| Iran | Rial | 7,592.00 | 101.22 | 1,252.00 | 16.70 | | | 1,500.00 | 20.00 | 10,344.00 | 137.92 |

*Report of expenditure of foreign currencies and appropriated funds by Interparliamentary Union, U.S. group, expended between Jan. 1 and Dec. 31, 1966*—Continued

| Name and country | Name of currency | Lodging | | Meals | | Transportation | | Miscellaneous | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| William Buffum: | | | | | | | | | | | |
| United States | Dollar | | 45.76 | | 19.19 | | | | 2.40 | | 67.35 |
| New Zealand | Pound | 11-5 | 33.56 | 2-4-6 | 6.35 | | | | | 13-19-6 | 39.91 |
| Australia | Aus. dollar | 32.00 | 35.84 | 15.05 | 16.87 | | | 8.39 | 9.42 | | 55.44 |
| Do | U.S. dollar | | | | | | | | 12.00 | | 12.00 |
| Lebanon | Pound | 42.00 | 13.20 | 6.20 | 1.92 | | | 5.05 | 1.50 | | 16.62 |
| Jordan | Dinar | 3.520 | 9.85 | 3.045 | 8.55 | | | | | | 6.565 | 18.40 |
| Iran | Rial | 7,592.00 | 101.22 | 4,534.00 | 60.45 | | | 2,375.00 | 31.65 | 14,501.00 | 193.32 |
| Delegation expenses: Iran | Rial | 11,000.00 | 146.66 | 2,400.00 | 32.00 | | | 320.00 | 4.25 | 13,720.00 | 182.91 |
| Homer Ferguson: | | | | | | | | | | | |
| Lebanon | Pound | 42.00 | 13.20 | | | | | 5.05 | 1.50 | 47.05 | 14.70 |
| Jordan | Dinar | 3.520 | 9.85 | | | | | | | 3.520 | 9.85 |
| Iran | Rial | | | | | | | 3,000.00 | 40.00 | 3,000.00 | 40.00 |
| Charles Gellner: | | | | | | | | | | | |
| Lebanon | Pound | 42.00 | 13.20 | | | | | 5.05 | 1.50 | 47.05 | 14.70 |
| Jordan | Dinar | 3.520 | 9.85 | | | | | | | 3.520 | 9.85 |
| Iran | Rial | 7,592.00 | 101.22 | 3,150.00 | 42.00 | | | 1,185.00 | 15.80 | 11,927.00 | 159.02 |
| George B. Galloway: | | | | | | | | | | | |
| United States | U.S. dollars | | 58.76 | | 24.92 | | | | 10.00 | | 93.68 |
| New Zealand | Pound | 16-10-0 | 47.19 | 1-7-6 | 3.92 | | | 9-0 | 1.29 | 18-6-6 | 52.40 |
| Do | U.S. dollars | | | | 1.40 | | 136.10 | | | | 137.50 |
| Australia | Australian dollars. | 76.00 | 85.20 | 26.90 | 30.16 | | | 4.90 | 5.50 | 107.80 | 120.86 |
| Do | U.S. dollars | | | | | | | | 8.50 | | 8.50 |
| Lebanon | Pound | 51.00 | 16.00 | | | | | 6.15 | 1.90 | 57.15 | 17.90 |
| Lebanon-Iran | U.S. dollars | | | | | | 129.70 | | | | 129.70 |
| Jordan | Dinar | 3.520 | 9.85 | .825 | 2.50 | | | .575 | 1.60 | 4.920 | 13.95 |
| Iran | Rial | 11,646.00 | 155.28 | 5,377.00 | 71.70 | | | 3,710.00 | 49.45 | 20,733.00 | 276.43 |
| Milrae Jensen: | | | | | | | | | | | |
| Lebanon | Pounds | 42.00 | 13.20 | | | | | 36.45 | 10.17 | 78.45 | 23.37 |
| Jordan | Dinars | 3.520 | 9.85 | | | | | .825 | 2.30 | 4.372 | 12.15 |
| Iran | Rials | 7,592.00 | 101.22 | 1,102.00 | 14.70 | | | 5,595.00 | 74.60 | 14,289.00 | 190.52 |
| A. Willis Robertson, Jr.: | | | | | | | | | | | |
| Lebanon | Pounds | 42.00 | 13.20 | | | | | 5.05 | 1.50 | 47.05 | 14.70 |
| Jordan | Dinars | 3.520 | 9.85 | .915 | 2.55 | | | | | 4.435 | 12.40 |
| Iran | Rials | 7,592.00 | 101.22 | 1,455.00 | 19.40 | | | 1,115.00 | 14.85 | 10,162.00 | 135.47 |
| Katharine St. George: | | | | | | | | | | | |
| United States | U.S. dollar | | 52.00 | | 2.18 | | | | .40 | | 54.58 |
| New Zealand | Pound | 16/10 | 47.19 | 6/18/9 | 19.77 | | | | | 23/8/9 | 66.96 |
| Australia | Australian dollar. | 43.00 | 48.20 | 3.75 | 4.10 | | | 8.40 | 9.42 | | 55.15 | 61.72 |
| Lebanon | Pound | 42.00 | 13.20 | | | | | 5.55 | 1.65 | 47.55 | 14.85 |
| Jordan | Dinar | 3.520 | 9.85 | 2.070 | 5.80 | | | | | 5.590 | 15.65 |
| Iran | Rial | 7,592.00 | 101.22 | 2,700.00 | 36.00 | | | 230.00 | 3.05 | 10,522.00 | 140.27 |
| Subtotal | | | 3,606.07 | | 1,541.90 | | 271.80 | | 770.21 | | 6,189.98 |

RECAPITULATION

| | Amount |
|---|---|
| Foreign currency (U.S. dollar equivalent) | 128.52 |
| Appropriated funds: Other (22 U.S.C.A. 276) | 6,061.46 |
| Total | 6,189.98 |

ALEXANDER PIRNIE,
*Chairman.*

MARCH 10, 1967.

*Report of expenditure of foreign currencies and appropriated funds by the Interparliamentary Union, U.S. group, expended between Jan. 1 and Dec. 31, 1966*

| Name and country | Name of currency | Lodging | | Meals | | Transportation | | Miscellaneous | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| Darrell St. Claire: United States | U.S. dollar | | 58.76 | | 36.12 | | | | 0.20 | | 95.08 |
| DELEGATION EXPENSES | | | | | | | | | | | |
| United States: | | | | | | | | | | | |
| Reception, lunches | do | | | | 211.31 | | | | | | 211.31 |
| Stationery supplies | do | | | | | | | | 72.45 | | 72.45 |
| Photographic supplies | do | | | | | | | | 7.83 | | 7.83 |
| Local transportation | do | | | | | | 8.40 | | | | 8.40 |
| Hotel expense | do | | 29.20 | | | | | | | | 29.20 |
| Gratuities, miscellaneous | do | | | | | | | | 39.70 | | 39.70 |
| Darrell St. Claire: New Zealand | Pound | 16-10-0 | 47.19 | 14-3-6 | 40.53 | | | | | 30-13-6 | 87.72 |
| DELEGATION EXPENSES | | | | | | | | | | | |
| New Zealand: | | | | | | | | | | | |
| Reception | do | | | 143-3-9 | 400.39 | | | | | 143-3-9 | 400.39 |
| Official photographs | do | | | | | | | 13-5-0 | 37.09 | 13-5-0 | 37.09 |
| Delegation meals, lunches | do | | | 71-0-9 | 190.92 | | | | | 71-0-9 | 190.92 |
| Office expenses | do | 24-15-0 | 70.86 | 11-6 | 1.64 | | | 4-9-8 | 12.84 | 29-16-4 | 85.34 |
| Embassy subsistence | do | 83-0-0 | 237.98 | 29-0-0 | 83.01 | | | 6-0 | .85 | 112-6-0 | 321.84 |
| Local transportation | do | | | | | 889-13-1 | 2,487.50 | | | 889-13-1 | 2,487.50 |
| Memorial wreath | do | | | | | | | 5-5-0 | 14.68 | 5-5-0 | 14.68 |
| Gratuities, miscellaneous | do | | | | | | | 14-0-0 | 39.36 | 14-0-0 | 39.36 |
| Gratuities | U.S. dollars | | | | | | | | 15.00 | | 15.00 |
| Darrell St. Claire: Australia | Australian dollar. | 50.00 | 56.05 | 38.85 | 43.55 | | | 1.80 | 2.01 | 90.65 | 101.61 |

*Report of expenditure of foreign currencies and appropriated funds by Interparliamentary Union, U.S. group, expended between Jan. 1 and Dec. 31, 1966*—Continued

| Name and country | Name of currency | Lodging | | Meals | | Transportation | | Miscellaneous | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| DELEGATION EXPENSES | | | | | | | | | | | |
| Australia: | | | | | | | | | | | |
| Delegation lunches, meals | Aus. dollar | | | 230.10 | 257.96 | | | | | 230.10 | 257.96 |
| Hotel office | do | 81.00 | 90.79 | | | | | | | 81.00 | 90.79 |
| Overtime, Embassy employees | do | | | | | | | 290.55 | 325.71 | 290.55 | 325.71 |
| Drayage | do | | | | | 30.00 | 33.62 | | | 30.00 | 33.62 |
| Local transportation | do | | | | | 2,197.22 | 2,461.30 | | | 2,197.22 | 2,461.30 |
| Postage | do | | | | | | | 20.07 | 22.50 | 20.07 | 22.50 |
| Communications | do | | | | | | | 32.30 | 36.19 | 32.30 | 36.19 |
| Gratuities, miscellaneous | do | | | | | | | 51.00 | 57.12 | 51.00 | 57.12 |
| Gratuities | U.S. dollar | | | | | | | | 57.00 | | 57.00 |
| Darrell St. Claire: Lebanon | Pound | 51.00 | 16.00 | | | | | 6.15 | 1.90 | 57.15 | 17.90 |
| DELEGATION EXPENSES | | | | | | | | | | | |
| Lebanon: | | | | | | | | | | | |
| Reception | do | | | 1,116.13 | 350.00 | | | | | 1,116.13 | 350.00 |
| Overtime, Embassy employees | do | | | | | | | 1,400.00 | 438.00 | 1,400.00 | 438.00 |
| Local transportation | do | | | | | 1,598.75 | 514.07 | | | 1,598.75 | 514.07 |
| Newspapers, postage, communications. | do | | | | | | | 313.00 | 97.39 | 313.00 | 97.39 |
| Gratuities, miscellaneous | do | | | | | | | 102.32 | 32.07 | 102.32 | 32.07 |
| Darrell St. Claire: Jordan | Dinar | 4.840 | 13.55 | .695 | 2.00 | | | | | 5.535 | 15.55 |
| DELEGATION EXPENSES | | | | | | | | | | | |
| Jordan: | | | | | | | | | | | |
| Governmental dinner | do | | | 90.200 | 252.79 | | | | | 90.200 | 252.79 |
| Delegation meals | do | | | 20.670 | 58.04 | | | | | 20.670 | 58.04 |
| Hotel office | do | | | | | | | 10.595 | 29.70 | 10.595 | 29.70 |
| Overtime, Embassy employees | do | | | | | | | 18.000 | 50.00 | 18.000 | 50.00 |
| Local transportation | do | | | | | 306.909 | 860.16 | | | 306.909 | 860.16 |
| Newspapers, gratuities, miscellaneous. | do | | | | | | | 18.639 | 52.20 | 18.639 | 52.20 |
| DELEGATION EXPENSES | | | | | | | | | | | |
| Israel: | | | | | | | | | | | |
| Local transportation | Pound | | | | | 2,956.67 | 985.56 | | | 2,956.67 | 985.56 |
| Airport tax | do | | | | | 337.50 | 112.50 | | | 337.50 | 112.50 |
| Darrell St. Claire: Iran | Rial | 10,352.00 | 138.02 | 17,253.15 | 230.04 | 500.00 | 6.66 | 6,555.85 | 87.41 | 34,661.00 | 462.13 |
| DELEGATION EXPENSES | | | | | | | | | | | |
| Iran: | | | | | | | | | | | |
| Reception, Iran-American Society | do | | | 57,375.00 | 764.63 | | | | | 57,375.00 | 764.63 |
| Reception, Embassy | do | | | 73,350.00 | 978.00 | | | | | 73,350.00 | 978.00 |
| Embassy luncheons, delegation meals. | do | | | 53,335.00 | 710.80 | | | | | 53,335.00 | 710.80 |
| Overtime, Embassy employees | do | | | | | | | 76,650.00 | 1,022.00 | 76,650.00 | 1,022.00 |
| Hotel expenses | do | 17,250.00 | 230.00 | | | | | | | 17,250.00 | 230.00 |
| Embassy expenses | do | | | | | | | 15,000.00 | 200.00 | 15,000.00 | 200.00 |
| Local transportation | do | | | | | 441,012.00 | 5,880.66 | | | 441,012.00 | 5,880.66 |
| Newspapers, communications, etc. | do | | | | | | | 11,175.00 | 149.00 | 11,175.00 | 149.00 |
| Gratuities, miscellaneous | do | | | | | | | 7,695.00 | 102.60 | 7,695.00 | 102.60 |
| Subtotal | | | 988.40 | | 4,611.73 | | 13,350.43 | | 3,002.80 | | 21,953.36 |
| Grand total | | | 4,594.47 | | 6,153.63 | | 13,622.23 | | 3,773.01 | | 28,143.34 |

RECAPITULATION

| | *Amount* |
|---|---|
| Foreign currency (U.S. dollar equivalent) | 6,734.41 |
| Other (22 USCA 276) | 21,408.93 |
| Total | 28,143.34 |

MARCH 10, 1967.

ALEXANDER PIRNIE,
*Chairman.*

*Report of expenditure of appropriated funds by Senate delegation, 6th Mexico-United States Interparliamentary Conference, Washington, D.C.; Philadelphia, Pa.; and San Francisco, Calif., Feb. 9–16, 1966*

| Name and country | Name of currency | Lodging | | Meals | | Transportation | | Miscellaneous | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| Sparkman, John | | | 55.62 | | 3.47 | | 216.30 | | | | 275.39 |
| Nelson, Gaylord | | | 98.88 | | 36.04 | | | | 6.56 | | 141.48 |
| Montoya, Joseph M | | | 55.62 | | 20.58 | | 218.82 | | 4.86 | | 299.88 |
| Murphy, George | | | 12.36 | | 4.78 | | | | .30 | | 17.44 |
| Fannin, Paul J | | | 126.69 | | 40.90 | | 17.80 | | 5.35 | | 190.74 |
| Kimmitt, Joseph S | | | 67.98 | | 18.72 | | | | 2.01 | | 88.71 |
| Gonzales, Joseph | | | 67.98 | | 27.43 | | 152.75 | | | | 248.16 |
| Jensen, Milrae | | | 67.98 | | 6.76 | | | | 10.80 | | 85.54 |
| Bergold, Harry | | | 67.98 | | 34.88 | | | | 2.60 | | 105.46 |
| Barnes, Donald | | | 67.98 | | 18.04 | | | | 6.24 | | 92.26 |
| Kuhl, Arthur M | | | 175.24 | | 64.47 | | 491.61 | | 45.89 | | [1] 777.21 |
| Holt, Pat M | | | 152.58 | | 23.53 | | 331.22 | | 11.07 | | [1] 518.40 |
| Delegation expenses: | | | | | | | | | | | |
| Official meals and receptions | | | | | 5,627.68 | | | | | | 5,627.68 |
| Transportation | | | | | | | 1,846.85 | | | | 1,846.85 |
| Interpreters fees | | | | | | | | | 457.40 | | 457.40 |

See footnote at end of table.

*Report of expenditure of appropriated funds by Senate delegation, 6th Mexico-United States Interparliamentary Conference, Washington, D.C.; Philadelphia, Pa.; and San Francisco, Calif., Feb. 9–16, 1966*—Continued

| Name and country | Name of currency | Lodging | | Meals | | Transportation | | Miscellaneous | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| Delegation expenses—Continued | | | | | | | | | | | |
| Publications | | | | | | | | | 101.80 | | 101.80 |
| Stationery and supplies | | | | | | | | | 206.21 | | 206.21 |
| Telephone charges | | | | | | | | | 29.01 | | 29.01 |
| Gratuities | | | | | | | | | 47.05 | | 47.05 |
| Reporters fees | | | | | | | | | 115.60 | | 115.60 |
| Miscellaneous | | | | | | | | | 44.84 | | 44.84 |
| Total | | | 1,016.89 | | 5,927.28 | | 3,275.35 | | 1,097.59 | | 11,317.11 |

[1] Includes amounts expended in connection with advance trip to Philadelphia and San Francisco, Jan. 11–15, 1966.

RECAPITULATION

| | Amount |
|---|---|
| Appropriated funds: | |
| Public Law 86-420 | $11,317.11 |
| Government Department: U.S. Army | 1,343.23 |
| Total | 12,660.34 |

JOHN SPARKMAN,
*Chairman, U.S. Senate Delegation.*

*Report of expenditure of foreign currencies and appropriated funds by Senate delegation, British-American Parliamentary Conference, Mar. 7–11, 1966*

| Name and country | Name of currency | Lodging | | Meals | | Transportation | | Miscellaneous | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| Frank Church: Bermuda | Pound | 63.10 | 178.75 | 55.0.0 | 154.85 | | | 5.16.8 | 16.40 | 124.6.8 | 350.00 |
| Frank E. Moss: Bermuda | do | 63.10 | 178.75 | 54.6.8 | 152.95 | | | 6.10.0 | 18.30 | 124.6.8 | 350.00 |
| George McGovern: | | | | | | | | | | | |
| Bermuda | do | 57.0. | 160.45 | 45.1.5 | 126.90 | | | 4.10.0 | 12.65 | 106.11.5 | 300.00 |
| Germany | Deutsche mark | | | | | 364. | 91.00 | | | | 91.00 |
| Milrae E. Jensen: Bermuda | Pound | 52.0. | 146.38 | 45.5.0 | 128.10 | 6.0.0 | 16.90 | 13.8.0 | 38.93 | 117.1.0 | 330.31 |
| Total | | | 664.33 | | 562.80 | | 107.90 | | 86.28 | | 1,421.31 |

RECAPITULATION

| | Amount |
|---|---|
| Foreign currency (U.S. dollar equivalent) | $1,421.31 |

FEBRUARY 20, 1967.

FRANK CHURCH,
*Chairman, Senate Delegation, British-American Parliamentary Conference.*

*Report of expenditure of appropriated funds by Senate delegation, 9th Canada-United States Interparliamentary Conference, May 18–22, 1966, Washington, D.C., Oak Ridge, Tenn., and Gatlinburg, Tenn.*

| Name and country | Name of currency | Lodging | | Meals | | Transportation | | Miscellaneous | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| George D. Aiken: United States | Dollar | | 9.27 | | | | | | | | 9.27 |
| Ross Bass: United States | do | | 10.00 | | 3.39 | | | | | | 13.39 |
| Lee Metcalf: United States | do | | 20.00 | | 11.93 | | | | | | 31.93 |
| Norvill Jones: United States | do | | 16.00 | | 3.06 | | | | | | 19.06 |
| J. S. Kimmitt: United States | do | | 8.76 | | | | | | | | 8.76 |
| Milrae Jensen: United States | do | | 38.91 | | 21.21 | | 68.80 | | 6.50 | | 135.42 |
| Delegation expenses: | | | | | | | | | | | |
| Official luncheons and dinners: United States. | do | | | | 3,301.15 | | | | | | 3,301.15 |
| Bus hire: United States | do | | | | | | 387.85 | | | | 387.85 |
| Official reporters | | | | | | | | | 19.70 | | 19.70 |
| Books and photos | | | | | | | | | 38.50 | | 38.50 |
| Miscellaneous (gratuities, etc.) | | | | | | | | | 167.07 | | 167.07 |
| Total | | | 102.94 | | 3,340.74 | | 456.65 | | 231.77 | | 4,132.10 |

RECAPITULATION

| | Amount |
|---|---|
| Appropriated funds: Public Law 86-42 | $4,132.10 |

GEORGE D. AIKEN,
*Chairman, Senate Delegation, Ninth Canada-United States Interparliamentary Conference.*

*Report of expenditure of appropriated funds by the Senate delegation to 12th Commonwealth Conference, Ottawa, Canada, Sept. 27–Oct. 1, 1966*

| Name and country | Name of currency | Lodging | | Meals | | Transportation | | Miscellaneous | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| J. W. Fulbright: Canada | U.S. dollar | | | | 29.11 | | | | 6.51 | | 35.62 |
| Edmund S. Muskie: Canada | do | | | | 19.16 | | | | 4.42 | | 23.58 |
| Arthur M. Kuhl: Canada | do | | | | 16.68 | | | | 6.43 | | 23.11 |
| DELEGATION EXPENSES | | | | | | | | | | | |
| Transportation | do | | | | | | 141.97 | | | | 141.97 |
| Conference room rental | do | | 93.00 | | | | | | | | 93.00 |
| Miscellaneous | do | | | | | | | | 24.40 | | 24.40 |
| Total | | | 93.00 | | 64.95 | | 141.97 | | 40.80 | | 341.68 |

RECAPITULATION

| | Amount |
|---|---|
| Appropriated funds: S. Res. 276 | $341.68 |

J. W. FULBRIGHT,
*Chairman, Committee on Foreign Relations.*

*Report of expenditure of foreign currencies and appropriated funds by Senate delegation, 12th NATO Parliamentarians' Conference, Paris, France; Brussels, Belgium; Madrid, Spain; and Lisbon, Portugal, Nov. 12–23, 1966*

| Name and country | Name of currency | Lodging | | Meals | | Transportation | | Miscellaneous | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| John Sparkman: | | | | | | | | | | | |
| France | Dollar | | 321.50 | | 160.50 | | | | 22.00 | | 504.00 |
| Belgium | do | | 37.00 | | 19.80 | | | | | | 56.80 |
| Spain | do | | 85.00 | | 11.60 | | | | | | 96.60 |
| Portugal | do | | 56.00 | | 29.70 | | | | 5.00 | | 90.70 |
| John O. Pastore: France | do | | 87.30 | | 41.25 | | 20.00 | | 7.45 | | 156.00 |
| Henry M. Jackson: | | | | | | | | | | | |
| France | do | | 109.70 | | 102.80 | | 20.00 | | 6.50 | | 239.00 |
| Portugal | do | | 25.70 | | 5.00 | | | | | | 30.70 |
| Joseph S. Clark: France | do | | 109.05 | | 69.80 | | | | 19.75 | | 198.60 |
| Birch Bayh: | | | | | | | | | | | |
| United States [1] | do | | | | | | 791.85 | | | | 791.85 |
| France [1] | do | | 20.52 | | 10.00 | | | | | | 30.52 |
| France | do | | 153.00 | | 68.00 | | | | 60.00 | | 281.00 |
| Portugal | do | | 25.20 | | 14.20 | | | | | | 39.40 |
| Stephen M. Young: France | do | | 109.05 | | 104.00 | | | | 13.70 | | 226.75 |
| Bourke B. Hickenlooper: | | | | | | | | | | | |
| France | do | | 111.75 | | 121.00 | | 5.00 | | 9.25 | | 247.00 |
| France | Franc | | | | | 2,085.50 | 425.61 | | | | 425.61 |
| United States | Dollar | | | | | | 64.16 | | | | 64.16 |
| Karl E. Mundt: | | | | | | | | | | | |
| France | do | | 152.65 | | 85.40 | | | | 21.20 | | 259.25 |
| France | Franc | | | | | 2,085.50 | 425.61 | | | | 425.61 |
| United States | Dollar | | | | | | 169.31 | | | | 169.31 |
| Jacob K. Javits: | | | | | | | | | | | |
| USA [2] | do | | | | | | 794.40 | | | | 794.40 |
| France [2] | do | | 180.00 | | 60.00 | | | | 15.00 | | 255.00 |
| France | do | | 357.50 | | 159.00 | | 10.00 | | 33.00 | | 559.50 |
| Winston L. Prouty: | | | | | | | | | | | |
| France | do | | 152.65 | | 141.60 | | 5.00 | | 22.00 | | 321.25 |
| Belgium | do | | 26.35 | | 26.40 | | | | | | 52.75 |
| Spain | do | | 31.65 | | 28.65 | | | | | | 60.30 |
| Portugal | do | | 25.75 | | 7.90 | | | | | | 33.65 |
| Thomas H. Kuchel: | | | | | | | | | | | |
| France | do | | 152.60 | | 189.00 | | 20.00 | | 36.40 | | 398.00 |
| Belgium | do | | 23.75 | | 25.00 | | | | | | 48.75 |
| Spain | do | | 31.65 | | 33.35 | | | | | | 65.00 |
| Portugal | do | | 25.70 | | 40.05 | | 3.00 | | 2.00 | | 70.75 |
| John Sherman Cooper: | | | | | | | | | | | |
| United States | do | | | | | | 34.10 | | | | 34.10 |
| France | do | | | | 76.00 | | 90.00 | | 20.00 | | 186.00 |
| Portugal | do | | 25.60 | | 18.15 | | | | 1.55 | | 45.30 |
| Donald G. Henderson: | | | | | | | | | | | |
| France | do | | 104.45 | | 116.00 | | 16.00 | | 15.25 | | 251.70 |
| Belgium | do | | | | 15.00 | | 5.00 | | | | 20.00 |
| James G. Lowenstein: France | do | | 74.40 | | 92.80 | | 12.00 | | 43.00 | | 222.20 |
| William O. Farber: France | do | | 104.55 | | 112.00 | | 12.00 | | 10.70 | | 239.25 |
| Leslie Gelb: France | do | | 89.57 | | 89.00 | | 15.00 | | 15.75 | | 209.32 |
| Milrae E. Jensen: | | | | | | | | | | | |
| France | do | | 117.75 | | 65.40 | | | | 3.75 | | 186.90 |
| Belgium | do | | 12.65 | | 10.00 | | | | 10.00 | | 32.65 |
| Spain | do | | 25.35 | | 23.00 | | | | | | 48.35 |
| Portugal | do | | 15.45 | | 2.35 | | | | | | 17.80 |
| Octa Watson: | | | | | | | | | | | |
| France | do | | 104.45 | | 61.90 | | | | 5.00 | | 171.35 |
| Belgium | do | | 12.35 | | 15.50 | | | | 4.50 | | 32.35 |
| Spain | do | | 25.33 | | 20.72 | | | | | | 46.05 |
| Portugal | do | | 15.40 | | 9.50 | | | | | | 24.90 |
| Margaret Brown: | | | | | | | | | | | |
| France | do | | 105.25 | | 38.25 | | | | | | 143.50 |
| Belgium | do | | 10.95 | | 7.60 | | | | | | 18.55 |
| Spain | do | | 25.33 | | 3.87 | | | | | | 29.20 |
| Portugal | do | | 15.40 | | 4.50 | | | | | | 19.90 |
| Delegation expenses (France): | | | | | | | | | | | |
| Hotel office rental | do | | | | | | | | 675.50 | | 675.50 |
| Cables and telephone charges | do | | | | | | | | 66.70 | | 66.70 |
| Overtime (chauffeurs and Embassy personnel). | do | | | | | | | | 405.00 | | 405.00 |
| Books and newspapers | do | | | | | | | | 26.00 | | 26.00 |
| Official luncheons | do | | | | 497.00 | | | | | | 497.00 |

See footnotes at end of table.

*Report of expenditure of foreign currencies and appropriated funds by Senate delegation, 12th NATO Parliamentarians' Conference, Paris, France; Brussels, Belgium; Madrid, Spain; and Lisbon, Portugal, Nov. 12–23, 1966*—Continued

| Name and country | Name of currency | Lodging | | Meals | | Transportation | | Miscellaneous | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| Delegation expenses (Belgium): | | | | | | | | | | | |
| Hotel office rental | Dollar | | | | | | | | 20.30 | | 20.30 |
| Cablegrams and telephone charges | do | | | | | | | | 27.60 | | 27.60 |
| Local transportation | do | | | | | | 535.40 | | | | 535.40 |
| Official luncheons | do | | | | 52.00 | | | | | | 52.00 |
| Gratuities | do | | | | | | | | 10.35 | | 10.35 |
| Delegation expenses (Spain): | | | | | | | | | | | |
| Hotel office rental | do | | | | | | | | 57.30 | | 57.30 |
| Official luncheons | do | | | | 62.55 | | | | | | 62.55 |
| Local transportation | do | | | | | | 182.89 | | | | 182.89 |
| Gratuities | do | | | | | | | | 20.00 | | 20.00 |
| Delegation expenses (Portugal): | | | | | | | | | | | |
| Hotel office (rent and meals) | do | | | | | | | | 48.30 | | 48.30 |
| Official luncheons and dinners | do | | | | 242.36 | | | | | | 242.36 |
| Local transportation | Escudo | | | | | 8,400 | 291.97 | | | | 291.97 |
| Total | | | 3,295.25 | | 3,189.45 | | 3,948.30 | | 1,759.80 | | 12,192.80 |

[1] Expended between May 9 and 10, 1966.
[2] Expended between May 9 and 12, 1966.

RECAPITULATION

| | Amount |
|---|---|
| Foreign currency (U.S. dollar equivalent) | 1,143.19 |
| Appropriated funds: Public Law 84-689 | 11,049.61 |
| Total | 12,192.80 |

JOHN SPARKMAN,
*Chairman, Senate Delegation, NATO Parliamentarians' Conference.*

*Report of expenditure of foreign currencies and appropriated funds by the Committee on Government Operations, U.S. Senate, expended between Jan. 1 and Dec. 31, 1966*

| Name and country | Name of currency | Lodging | | Meals | | Transportation | | Miscellaneous | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| Ernest Gruening: | | | | | | | | | | | |
| Japan | Yen | 41,400 | 115.00 | 30,600 | 85.00 | 6,480 | 18.00 | 11,520 | 32.00 | 90,000 | 250.00 |
| | Dollar | | 163.48 | | 16.76 | | | | | | 180.24 |
| Korea | Won | 10,800 | 40.00 | 27,000 | 100.00 | | | 15,250 | 56.18 | 53,050 | 196.18 |
| | Dollar | | 56.21 | | | | | | 2.70 | | 58.91 |
| Transportation | Mark | | | | | 6,478 | 1,615.46 | | | 6,478 | 1,615.46 |
| Subtotal | | | 374.69 | | 201.76 | | 1,633.46 | | 90.88 | | 2,300.79 |
| Ernest Gruening: | | | | | | | | | | | |
| France | Franc | 461 | 94.10 | 520 | 105.90 | | | | | 981 | 200.00 |
| | Dollar | | 175.40 | | 114.60 | | 24.20 | | 26.80 | | 340.00 |
| Transportation | Guilder | | | | | 4,330 | 1,194.18 | | | 4,330 | 1,194.18 |
| Subtotal | | | 269.50 | | 220.50 | | 1,218.38 | | 26.80 | | 1,734.18 |
| Herbert W. Beaser: | | | | | | | | | | | |
| Japan | Yen | 49,680 | 138.00 | 56,520 | 157.00 | 7,560 | 21.00 | 12,240 | 34.00 | 126.00 | 350.00 |
| Do | Dollar | | 68.04 | | 10.30 | | | | | | 78.34 |
| Korea | Won | 20,711 | 76.14 | 14,850 | 55.00 | 4,590 | 17.00 | 11,615 | 43.27 | 51.761 | 191.41 |
| Do | Dollar | | 56.03 | | 37.00 | | | | | | 93.03 |
| Transportation | Marks | | | | | 6,536 | 1,627.59 | | | 6,536 | 1,627.59 |
| Subtotal | | | 338.21 | | 259.30 | | 1,665.59 | | 77.27 | | 2,340.37 |
| Herbert W. Beaser: | | | | | | | | | | | |
| France | Franc | 931 | 190.00 | 294 | 60.00 | | | | | 1,225 | 250.00 |
| Do | Dollar | | 102.28 | | 101.78 | | 25.00 | | 31.48 | | 260.54 |
| Belgium | Franc | 4,355 | 87.10 | 5,655 | 112.90 | 450 | 8.80 | | | 10,450 | 208.80 |
| Do | Dollar | | 62.00 | | | | | | 38.00 | | 100.00 |
| Transportation | Guilder | | | | | 2,965 | 817.03 | | | 2,965 | 817.03 |
| Subtotal | | | 441.38 | | 274.68 | | 850.83 | | 69.48 | | 1,636.37 |
| Joseph Lippman: | | | | | | | | | | | |
| Japan | Dollar | | 286.91 | | 16.76 | | | | 13.90 | | 317.57 |
| | Yen | 163,800 | 455.00 | 106,200 | 295.00 | 14,886 | 55.10 | 11,214 | 44.90 | 296,000 | 850.00 |
| Korea | Dollar | | 44.31 | | 33.00 | | | | | | 77.31 |
| | Won | 28,890 | 107.00 | 14,850 | 55.00 | 5,482 | 20.30 | 4,860 | 17.70 | 54,082 | 200.00 |
| Hong Kong | Dollar | | 50.85 | | 13.00 | | | | .88 | | 64.73 |
| | Hong Kong dollar. | 294 | 50.00 | 377 | 65.00 | 87 | 15.00 | 103 | 20.00 | 861 | 150.00 |
| Transportation | Dollar | | | | | | 180.00 | | | | 180.00 |
| | Guilder | | | | | 3,190 | 879.80 | | | 3,190 | 879.80 |
| | Yen | | | | | 106,400 | 295.56 | | | 106,400 | 295.56 |
| Subtotal | | | 994.07 | | 477.76 | | 1,445.76 | | 97.38 | | 3,014.97 |
| France | Franc | 2,010 | 410.30 | 720 | 149.70 | 237 | 47.40 | 218 | 42.60 | 3,185 | 650.00 |
| | Dollar | | 92.15 | | 152.85 | | | | | | 245.00 |
| Belgium | Franc | 4,100 | 82.00 | 2,450 | 49.00 | 2,243 | 43.85 | 950 | 19.00 | 9,743 | 193.85 |
| | Dollar | | 114.00 | | 30.00 | | | | | | 144.00 |
| Germany | Mark | 760 | 190.00 | 440 | 110.00 | 245 | 61.05 | | | 1,445 | 361.05 |
| | Dollar | | 65.00 | | 73.00 | | | | 21.00 | | 159.00 |
| Spain | Peseta | 14,700 | 245.00 | 9,000 | 150.00 | 10,710 | 178.80 | 6,300 | 105.00 | 40,710 | 678.80 |
| | Dollar | | 111.20 | | 38.80 | | | | | | 150.00 |
| Transportation | Mark | | | | | 6,448 | 1,608.61 | | | 6,448 | 1,608.61 |
| Subtotal | | | 1,309.65 | | 753.35 | | 1,939.71 | | 187.60 | | 4,190.31 |

*Report of expenditure of foreign currencies and appropriated funds by the Committee on Government Operations, U.S. Senate, expended between Jan. 1 and Dec. 31, 1966*—Continued

| Name and country | Name of currency | Lodging | | Meals | | Transportation | | Miscellaneous | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| Philip W. Morgan: | | | | | | | | | | | |
| Japan | Yen | 41,664 | 115.73 | 62,226 | 172.85 | 7,967 | 22.13 | 28,183 | 67.18 | 136,040 | 377.89 |
| Vietnam | Piasters | 23,400 | 198.31 | 21,560 | 182.72 | | | 5,782 | 49.00 | 50,625 | 430.03 |
| Thailand | Bahts | 2,267.02 | 110.21 | 2,187.82 | 106.36 | | | 687.66 | 33.43 | 5,142.50 | 250.00 |
| Hong Kong | Hong Kong dollars. | 439.70 | 77.00 | 529.70 | 92.00 | | | 126.61 | 22.00 | 1,096.77 | 191.00 |
| International transportation: Germany.[1] | Deutsche mark | | | | | | 1,735.07 | | | 6,940.28 | 1,735.07 |
| Subtotal | | | 501.25 | | 553.93 | | 1,757.20 | | 171.61 | | 2,983.99 |
| Jerome S. Adlerman: | | | | | | | | | | | |
| Japan | Yen | 21,630 | 60.00 | 42,300 | 120.00 | | | 19,080 | 53.00 | 83,000 | 233.00 |
| Vietnam | Piaster | 23,997 | 204.00 | 20,650 | 175.00 | | | 59.78 | 48.00 | 50,625 | 427.00 |
| Thailand | Baht | 2,037 | 100.00 | 2,334 | 115.00 | | | 710 | 35.00 | 5,142.50 | 250.00 |
| Hong Kong | Hong Kong dollars. | 398.40 | 69.50 | 456 | 80.00 | | | 240 | 42.50 | 1,096.00 | 192.00 |
| International transportation (Germany).[2] | Deutsche mark | | | | | 7,570.00 | 1,787.82 | | | 7,570.00 | 1,787.82 |
| Subtotal | | | 433.50 | | 490.00 | | 1,787.82 | | 178.50 | | 2,889.82 |
| Senator Jacob K. Javits: | | | | | | | | | | | |
| Germany | Deutsche mark | | | | | | 1,140.95 | | | | 1,140.95 |
| United Kingdom | Pound sterling | | | | 25.00 | | 34.41 | | 10.00 | | 69.41 |
| Switzerland | Swiss franc | | | | 70.00 | | | | 10.00 | | 80.00 |
| Greece | Drachma | | 60.00 | | 50.00 | | | | 10.00 | | 120.00 |
| Vietnam | Dollar | | 7.69 | | 3.00 | | | | | | 10.69 |
| Hong Kong B. C. C | do | | 20.00 | | 40.00 | | | | 20.00 | | 80.00 |
| Transportation | | | | | | | 1,520.20 | | | | 1,520.20 |
| Subtotal | | | 87.69 | | 188.00 | | 2,695.56 | | 50.00 | | 3,021.25 |
| Richard Aurelio: | | | | | | | | | | | |
| Vietnam | Dollar | | 7.69 | | 3.00 | | | | .77 | | 11.46 |
| Hong Kong B.C.C | do | | 20.00 | | 40.00 | | | | 28.75 | | 88.75 |
| Transportation | do | | | | | | 1,520.20 | | | | 1,520.20 |
| Subtotal | | | 27.69 | | 43.00 | | 1,520.20 | | 29.52 | | 1,620.41 |
| Leslie H. Gelb: | | | | | | | | | | | |
| France | Franc | 180 | 36.00 | 300 | 60.00 | 120 | 24.00 | 67.20 | 13.44 | 667.20 | 133.44 |
| Switzerland | do | 109 | 21.00 | 150 | 30.00 | 50 | 10.00 | 100.90 | 20.10 | 409.90 | 81.10 |
| Transportation | Dollar | | | | | | 509.60 | | | | 509.60 |
| Subtotal | | | 57.00 | | 90.00 | | 543.60 | | 33.54 | | 724.14 |
| Senator Henry M. Jackson: Great Britain. | Dollar (pound) | | 51.05 | | 13.30 | | 30.28 | | | | 94.63 |
| Dr. Dorothy Fosdick: | | | | | | | | | | | |
| France | New franc | | 52.00 | | 40.00 | | 20.00 | | 15.55 | | 127.55 |
| Netherlands | Guilder | | 29.50 | | 35.00 | | 15.50 | | 20.00 | | 100.00 |
| Belgium | Franc | | | | 10.00 | | 9.91 | | 7.75 | | 27.66 |
| Great Britain | Pound | | 170.00 | | 65.50 | | 41.50 | | 23.00 | | 300.00 |
| Subtotal | | | 251.50 | | 150.50 | | 86.91 | | 66.30 | | 555.21 |
| Dr. Robert W. Tufts: | | | | | | | | | | | |
| Netherlands | Guilder | | 32.00 | | 40.00 | | 12.00 | | 16.00 | | 100.00 |
| Belgium | Belgian franc | | | | 15.00 | | 3.07 | | 12.00 | | 30.07 |
| Great Britain | Pound | | 210.00 | | 76.00 | | 14.00 | | | | 300.00 |
| Subtotal | | | 242.00 | | 131.00 | | 29.07 | | 28.00 | | 430.07 |
| Szabo, Daniel: | | | | | | | | | | | |
| France | Franc | 460.56 | 94.00 | 323.37 | 66.00 | | | 122.48 | 25.00 | 906.41 | 185.00 |
| Turkey (Istanbul) | Lira | 225 | 25.00 | 135 | 15.00 | | | 234 | 26.00 | 576 | 66.00 |
| Turkey (Ankara) | Lira | 126 | 14.00 | 72 | 8.00 | | | 72 | 8.00 | 270 | 30.00 |
| Greece (Athens) | Drachma | 925.37 | 31.00 | 985.07 | 33.00 | | | 1,014.92 | 34.00 | 2,925.36 | 98.00 |
| Transportation | Deutsche mark | | | | | 4,712.80 | [3] 1,181.15 | | | | |
| Subtotal | | | 164.00 | | 122.00 | | 1,181.15 | | 93.00 | | 1,560.15 |
| Total | | | 5,543.18 | | 3,969.08 | | 18,384.52 | | 1,199.88 | | 29,096.66 |

[1] The Defense Department furnished air transportatio n through the Military Air Transport Command in the amount of $1,735.07 (Deutsche mark 6,940.28 of West Germany) pursuant to sec. 1314, Public Law 207, 83d Cong. (31 U.S.C. 22a).

[2] The Defense Department furnished air transportation through the Military Air Transport Command in the amount of $1,787.82 (Deutsche mark 7,570.00 of West Germany) pursuant to sec. 1314, Public Law 207, 83d Cong. (31 U.S.C. 22a).

[3] Portion of unused ticket returned to State Department for credit on account.

RECAPITULATION

| | Amount |
|---|---|
| Foreign currency (U.S. dollar equivalent) | 23,416.69 |
| Appropriated funds: Government department (identify each): | |
| Department of the Army | 4,281.43 |
| Department of the Navy | 1,398.54 |
| Total | 29,096.66 |

MARCH 10, 1967.

JOHN L. MCCLELLAN,
*Chairman, Committee on Government Operations.*

*Report of expenditure of foreign currencies and appropriated funds by the Committee on the Judiciary, U.S. Senate, expended between Jan. 1 and Dec. 31, 1966*

| Name and country | Name of currency | Lodging | | Meals | | Transportation | | Miscellaneous | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| George S. Abrams: | | | | | | | | | | | |
| Germany | Mark | | | | | 5,302.80 | 1,320.42 | | | 5,302.80 | 1,320.42 |
| Israel | Pound | 195 | 65.00 | 150.00 | 50.00 | 54.00 | 18.00 | 270.00 | 90.00 | 669.00 | 223.00 |
| Italy | Lira | 12,497 | 20.00 | 7,468 | 11.94 | | | | | 19,965.00 | 31.94 |
| Jordan | Dinar | 17.135 | 48.00 | 12.137 | 34.00 | 2.855 | 8.00 | 9.363 | 26.23 | 41.490 | 116.23 |
| Lebanon | Pound | 71.74 | 23.00 | 68.58 | 22.00 | 24.34 | 8.00 | 62.14 | 19.96 | 226.80 | 72.96 |
| Netherlands | Guilder | 162.66 | 45.00 | 202.38 | 56.00 | 57.77 | 16.00 | 119.25 | 33.00 | 542.06 | 150.00 |
| Spain | Peseta | 2,875.10 | 48.00 | 3,115.40 | 52.00 | 777.35 | 13.00 | 2,217.15 | 37.00 | 8,985.00 | 150.00 |
| Switzerland | Franc | 215.74 | 50.00 | 215.74 | 50.00 | 47.03 | 11.00 | 168.14 | 39.00 | 646.65 | 150.00 |
| United Arab Republic | Pound | 20.94 | 44.00 | 18.16 | 39.00 | 2.60 | 11.00 | 8.30 | 21.23 | 50.00 | 115.23 |
| Total | | | 343.00 | | 314.94 | | 1,405.42 | | 266.42 | | 2,329.78 |
| Dale S. de Haan: | | | | | | | | | | | |
| Germany | Mark | | | | | 5,302.80 | 1,320.42 | | | 5,302.80 | 1,320.42 |
| Israel | Pound | 189.00 | 63.00 | 165.00 | 55.00 | 30.00 | 10.00 | 243.00 | 81.00 | 627.00 | 209.00 |
| Jordan | Dinar | 16.047 | 45.00 | 10.692 | 30.00 | 5.437 | 15.00 | 3.074 | 8.66 | 35.250 | 98.66 |
| Lebanon | Pound | 62.86 | 20.00 | 47.06 | 15.00 | 15.46 | 5.00 | 36.12 | 11.86 | 161.50 | 51.86 |
| Netherlands | Guilder | 162.63 | 45.00 | 216.84 | 60.00 | 72.24 | 20.00 | 90.35 | 25.00 | 542.06 | 150.00 |
| Spain | Peseta | 2,695.75 | 45.00 | 3,295.25 | 55.00 | 1,196.00 | 20.00 | 1,797.00 | 30.00 | 8,985.00 | 150.00 |
| Switzerland | Franc | 190.91 | 44.00 | 228.45 | 53.00 | 68.39 | 16.00 | 159.20 | 37.00 | 646.65 | 150.00 |
| United Arab Republic | Pound | 18.718 | 40.00 | 17.607 | 38.00 | 3.717 | 13.00 | 9.958 | 24.23 | 50.000 | 115.23 |
| Total | | | 302.00 | | 306.00 | | 1,419.42 | | 217.75 | | 2,245.17 |
| William T. Finley, Jr.: | | | | | | | | | | | |
| Finland | Mark | 70.00 | 21.81 | 77.82 | 24.25 | | | | | 147.82 | 46.06 |
| Germany | do | | | | | 5,466.80 | 1,370.13 | | | 5,466.80 | 1,370.13 |
| Switzerland | Franc | 1,220.43 | 282.12 | 763.11 | 176.40 | 131.65 | 30.43 | 256.96 | 59.40 | 2,372.15 | 548.35 |
| United Kingdom | Pound | 74.15.1 | 208.64 | 38.10.0 | 107.45 | 13.0.5 | 36.34 | 13.0.0 | 36.28 | 139.5.6 | 388.71 |
| Total | | | 512.57 | | 308.10 | | 1,436.90 | | 95.68 | | 2,353.25 |
| Joseph A. Davis: | | | | | | | | | | | |
| Ireland | Pound | 13.4.5 | 36.34 | 8.4.0 | 22.40 | 14.7.1 | 41.26 | | | 35.15.6 | 100.00 |
| Netherlands | Guilder | 129.5 | 36.00 | 50.5 | 14.00 | | | | | 180.00 | 50.00 |
| Switzerland | Franc | 256.70 | 59.40 | 265.78 | 61.51 | 324.06 | 75.00 | 233.71 | 54.09 | 1,080.25 | 250.00 |
| United Kingdom | Pound | 21.0.3 | 58.81 | 17.0.0 | 49.00 | 21.0.0 | 60.63 | 18.0.1 | 46.53 | 77.0.4 | 214.97 |
| Total | | | 190.55 | | 146.91 | | 176.89 | | 100.62 | | 614.97 |
| Dr. Anthony Kubek: | | | | | | | | | | | |
| Austria | Schilling | 2,090 | 81.00 | 818 | 31.56 | 1,000 | 38.82 | 1,400 | 55.00 | 5,308 | 206.38 |
| Italy | Lira | 11,800 | 19.00 | 9,300 | 15.00 | 10,500 | 16.90 | 5,570 | 9.00 | 37,170 | 59.90 |
| France | Franc | 196 | 40.00 | 78.50 | 16.00 | 147 | 30.00 | 68.70 | 14.00 | 490.20 | 100.00 |
| England | Pound | 9.14.0 | 27.00 | 7.18.0 | 22.00 | 9.18.0 | 27.63 | 11.18.0 | 33.00 | 39.8.0 | 109.63 |
| Netherlands | Guilder | | | | | 3,952.95 | 1,092.28 | | | 3,952.95 | 1,092.28 |
| Total | | | 167.00 | | 84.56 | | 1,205.63 | | 111.00 | | 1,568.19 |
| Senator Joseph D. Tydings: | | | | | | | | | | | |
| Finland | Mark | 70.00 | 21.81 | 77.82 | 24.25 | | | | | 147.82 | 46.06 |
| Germany | do | | | | | 5,466.80 | 1,370.13 | | | 5,466.80 | 1,370.13 |
| Switzerland | Franc | 1,220.43 | 282.11 | 763.11 | 176.40 | 266.11 | 61.51 | 122.50 | 29.32 | 2,732.34 | 549.34 |
| United Kingdom | Pound | 56.10.0 | 157.69 | 7.10.0 | 20.93 | 48.14.3 | 135.95 | 8.1.0 | 22.47 | 120.15.3 | 337.04 |
| U.S.S.R | Ruble | | | 29.50 | 32.78 | 264.50 | 293.89 | 30.77 | 34.19 | 324.77 | 360.86 |
| Total | | | 461.61 | | 254.36 | | 1,861.48 | | 85.98 | | 2,663.43 |

RECAPITULATION

| | *Amount* |
|---|---|
| Foreign currency (U.S. dollar equivalent) | 11,774.79 |

MARCH 10, 1967.

JAMES D. EASTLAND,
*Chairman, Committee on the Judiciary.*

## AUTHORIZATION FOR COMMITTEE ON APPROPRIATIONS TO MEET DURING SENATE SESSIONS OF THE 90TH CONGRESS

Mr. HAYDEN. Mr. President, as in legislative session, I ask unanimous consent that the Committee on Appropriations be authorized to sit during the sessions of the Senate in the 90th Congress.

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

## AUTHORIZATION FOR COMMITTEE ON APPROPRIATIONS TO MEET AND REPORT MEASURES DURING ADJOURNMENTS OR RECESSES

Mr. HAYDEN. Mr. President, as in legislative session, I ask unanimous consent that during adjournments or recesses of the Senate during the 90th Congress the Committee on Appropriations be, and it is hereby authorized, to report appropriation bills, including joint resolutions, with accompanying notices of motions to suspend paragraph 4 of rule XXI for the purpose of offering certain amendments to such bills or joint resolutions, which proposed amendments shall be printed.

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

## CONSULAR CONVENTION WITH THE SOVIET UNION

The Senate resumed the consideration 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 (Ex. D, 88th Cong., 2d sess.).

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, and ask that the time be taken out of the other side.

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

Who yields time?

Mr. HOLLAND. Mr. President, on behalf of the Senator from South Dakota, I yield myself 20 minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. HOLLAND. Mr. President, I entered this debate and the study of this proposed Consular Convention with the

hope that I would be able to support it. The more I studied it, the more I became convinced, however, that I could not do so; and my brief remarks today will be directed in opposition to the approval or ratification by the Senate of the proposed Consular Convention.

Mr. President, I have voted for three of the proposals advanced during the debate, which were introduced in the effort to make this Consular Convention more palatable. The proposals for which I have voted are the following: First, the amendment to the treaty itself offered by the distinguished Senator from Georgia [Mr. TALMADGE], which was defeated by a vote of 53 to 26; second, Executive Reservation No. 4, offered by the distinguished Senator from South Carolina [Mr. THURMOND]; and, third, Executive Understanding No. 1 offered by the distinguished Senator from Maine [Mrs. SMITH].

I am, of course, disappointed at the rejection by the Senate of each and every one of these proposals. But the one to which I will address myself today, and the one which causes me the deepest concern, is the rejection by the Senate of the amendment to the convention itself which was offered by the Senator from Georgia [Mr. TALMADGE]. His amendment proposed in effect to strike sections 2 and 3 of article 19 of the convention and insert in place thereof provisions which he stated were identical to the provisions which had been used by our country in all other consular conventions which we had approved.

The effort by the Senator from Georgia was, in other words, to leave the new and questionable course proposed to be followed by these two sections of the treaty, in which complete immunity from all criminal jurisdiction would be given by the receiving state to "consular officers and employees of the consular establishment who are nationals of the sending state."

Mr. President, I ask unanimous consent that sections 2 and 3 of article 19 of the proposed convention be printed at this point in the RECORD.

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

2. Consular officers and employees of the consular establishment who are nationals of the sending state shall enjoy immunity from the criminal jurisdiction of the receiving state.

3. This immunity from the criminal jurisdiction of the receiving state of consular officers and employees of the consular establishment of the sending state may be waived by the sending state. Waiver must always be express.

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

Mr. HOLLAND. I yield.

Mr. TALMADGE. Mr. President, I appreciate the reference to my amendment by the distinguished Senator from Florida.

I agree completely with the Senator from Florida that that is by far the most obnoxious part of this convention with the U.S.S.R.

It strikes me as being utterly inconceivable at a time when the Soviet Union is furnishing the sophisticated weapons being used to kill and maim many of our one-half million men in southeast Asia at the present time, that our Government should single out the Soviet Union, of all countries on the face of the earth, to give a special privilege or a benefit which our country has not heretofore given to any country on the face of the earth.

That particular pattern has been followed. The Soviet Union insisted on this provision, not the United States.

The Soviet Union since that time has negotiated a convention with Great Britain and also with Japan that gives complete immunity for consular officers and their staffs. But neither Great Britain nor Japan has ratified the convention to date.

I know not what course they may take in the future. It is entirely probable that they will follow the course that the U.S. Senate adopts today. I am quite certain that is what the Soviet Union is seeking to achieve.

They want a consular staff throughout the world with complete criminal immunity for any and all purposes.

It seems to me that it is going much too far.

I think the able Senator from Florida has put his finger on the weak part of this particular treaty. I cannot support the treaty in any such form.

Mr. HOLLAND. Mr. President, I thank the distinguished Senator from Georgia. I was glad indeed, to support his amendment. I was sorry it was not agreed to.

If it had been agreed to, I contemplated supporting this treaty, although I would have been glad also to see the other two remedial proposals which I have mentioned adopted.

Mr. TALMADGE. Mr. President, will the Senator yield further?

Mr. HOLLAND. I am glad to yield to the Senator from Georgia.

Mr. TALMADGE. It was the intention of the Senator from Georgia likewise to support the treaty in the event that amendment was agreed to, but I cannot support the treaty under the present conditions.

It is my firm belief that our Government will rue the day that it ever granted such broad immunity, immunity that would make even the janitor of a Soviet consulate immune from criminal prosecution even though he were to assassinate the President of the United States.

The most-favored-nation provision is contained in almost all such conventions that have been granted to date. The same immunity is granted to every consular officer and members of his staff covered by that particular provision in their convention.

So we are granting immunity by this provision not only to the Soviets, but also to every other consulate officer and consulate staff member from a country that has a similar most-favored-nation provision in their convention.

Mr. HOLLAND. Mr. President, I thank the Senator. It would of course be incumbent upon every nation that had this most-favored-nation provision in their treaty with us to state a willingness to reciprocate in connection with this matter.

Mr. TALMADGE. The Senator is correct. If they failed to reciprocate, they would not receive it, but if they were to reciprocate they would get it automatically.

Mr. HOLLAND. If they do reciprocate, they are entitled as a matter of right under our conventions with them to the same treatment which we propose by this treaty to give to Soviet Russia.

Mr. President, I am going to quote the words used by the distinguished Senator from Georgia in his remarks. I want it to be abundantly clear that he was not only seeking to strike these two sections, but that he was also seeking to insert in their place:

The same provisions as established in providing for every consular office that has ever been established in these United States of America.

The Senator from Georgia was not suggesting a destructive course, but he was suggesting that if we are going to enter into this treaty with Soviet Russia, we give them the same treatment that we have given to every other nation during the more than 175 years of our national existence when we have entered into consular relations with them.

I thought the suggestion of the Senator from Georgia was splendid. I voted for it and supported it.

The record is very clear as to the origin of this provision. I shall quote briefly from two places in the record of the hearings which show so conclusively that the Soviet Union, not our country, was the suggesting nation and the insistent nation which incorporated this provision in the proposed treaty. On page 20 of the hearings will be found the following colloquy. The questioning Senator was Senator HICKENLOOPER, who asked:

Now, could you tell us who insisted on this unrestricted immunity for all the personnel? Did we insist on it or did the Russians?

Secretary Rusk, who was the witness, replied:

I think it might be well for Ambassador Kohler, who was in the negotiation, to comment on that. But I would say that, when the matter came up, we felt the advantage to having this immunity for our people in the Soviet Union was at least as important to us as this might have been to the other side.

Ambassador Kohler, how did it come up?

Mr. Kohler then spoke, as follows:

Senator, the original proposal came up from the Soviet side during the course of the negotiations.

A little later in the hearings, when Mr. Katzenbach was being questioned by Senator LAUSCHE, as appears on pages 39 and 40 of the hearings, this very enlightening exchange between Senator LAUSCHE and Mr. Katzenbach, Mr. Kohler, and Secretary Rusk took place:

Senator LAUSCHE. Was this provision included in the proposed treaty that was submitted by our country or was it only accepted after Russia said it would not sign the treaty unless complete immunity were granted?

Mr. KATZENBACH. Mr. Kohler, would you comment on that?

Senator LAUSCHE. Mr. Kohler can answer that, I think.

Mr. KOHLER. This provision was originally put forward during the final course of the negotiations by the Soviet side.

Senator LAUSCHE. It was proposed by the Soviets?

Mr. KOHLER. Yes, sir.

Senator LAUSCHE. And it wasn't included in our proposal originally?

Mr. KOHLER. That is correct, sir.

Senator LAUSCHE. And isn't it a fact that the Soviets say, "Unless you grant complete immunity we will not further discuss the subject."

Secretary RUSK. Senator, the question didn't come up in that form.

Senator LAUSCHE. How did it come up?

Secretary RUSK. Because when we looked at this proposal and looked at the reciprocal advantage to us in 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 interests. Otherwise we could have said "No, let's don't have any consular convention."

We could establish consulates under existing law.

Incidentaly, we had done so some years ago, when three Russian consulates were established in this country, but later had to be discontinued because of misconduct on their part.

I continue to read from Secretary Rusk's statement:

But what we would not have would be those protections for Americans, both special protection for American officials working in the Soviet Union and the notification and access protection with respect to American private citizens traveling in the Soviet Union.

Senator LAUSCHE. I have been using quite a bit of time.

Under the most-favored-nation clause how many other nations will be entitled to this same immunity? I know Rumania and Yugoslavia will be entitled to it. How many will be?

Senator LAUSCHE mentioned, of course, two of the Communist countries which already have consulates in the United States. I continue to read:

Secretary RUSK. In Mr. MacArthur's letter he pointed out there are 35 agreements presently in force which would require us to give most-favored-nation treatment on a point of this sort, on a reciprocal basis.

Senator LAUSCHE. Which are what we call the captive nations, and which are the satellite nations that would become entitled to the same treatment.

Secretary RUSK. The only countries of Eastern Europe who are among those would be Rumania and then Yugoslavia.

That exchange shows very clearly, again, that this suggestion came from the Russians, that the insistence came from the Russians, though, as Secretary Rusk said, not in exactly the same words that Senator LAUSCHE had stated in putting the question to him.

It showed, also, that under the most-favored-nation doctrine, the two other Communist countries which have consulates in our country do have most-favored-nation clauses in our treaties with them, and would be in position if this consular pact is ratified by both parties, to immediately come under the terms of it, provided they were willing to be mutual or reciprocal in it.

The next point I make is that Mr. Rusk made it very clear in his statement that two things not available under present law were of great concern in this treaty. I will repeat part of his statement, which I have already put in the RECORD:

We could establish consulates under existing law. But what we would not have would be those protections for Americans, both special protection for American officials working in the Soviet Union and the notification and access protection with respect to American private citizens traveling in the Soviet Union.

It seems very clear to me, therefore, that the justification, if there is one, for our ratifying this treaty must come from our consideration of those two matters.

I call to the attention of Senators generally that it has appeared not once but dozens of times, both in the RECORD and in debate on the floor, that we get much greater advantage from the second matter, the notification and access protection with respect to American private citizens traveling in the Soviet Union, than do the Soviets. This comes from various facts: that we have about 18,000 Americans traveling in Russia each year, as against only about 900 Russians traveling in our country each year; that we would be given, as to our citizens, in the event they get in trouble there—according to statements made repeatedly on the floor of the Senate—better treatment, more considerate treatment, than that given to the Russian citizens if they were charged with the same offenses.

So we must agree that any justification for this treaty would require us to look very hard at the immunity provision, because I do not believe it is reasonable for us to conclude for a moment that the Soviets would ratify this agreement if we were getting all the advantage or a disproportionate share of it, as we undoubtedly would be getting under the notification and access procedure that is outlined in the treaty: notification to our consular representatives, access to an American citizen who is in jail, and then the application of speedy procedures to give him relief, procedures stated many times in the Senate to be more reasonable, more rapid, and more considerate than those allowed to Russian citizens. We must look at the immunity provision very carefully.

Mr. President, much as I would like to see us tear down the barriers now between our countries, if that course became reasonable, there is nothing in our relationship with Russia and the Russians which makes me feel that we can expect them to act as we would act under the immunity provision. The history at their own consulate in New York—during the time they had three consulates in this country a short while ago—which had to be closed down, shows rather clearly that they do not act as we do in these matters.

Entirely aside from that aspect, we must look much further than at just what would happen in Russia and in the United States if there were an exchange, let us say, of two consulates for two consulates. We would have here the same number of people from Russia that we would be allowed to have there. Even if that were the case we would have to watch the situation closely, and I believe we are justified in being suspicious of Russia. I shall not go into long detail on that matter, but their conduct has not been such as to make us trust implicitly in their good faith in every respect. However, other things, going far beyond the matter of the mere exchange of consulates, cause us much deeper concern, if we will just look at them carefully.

First, we must consider the effect on the nations which are now considering pacts similar to this, and which in general are part of the democratic world—Britain, Japan, and France—and which apparently are waiting to see what our course of action will be. But the matter goes much further than that, because we must consider the effect of our adoption of this treaty on many other nations which are in our group in the world, particularly in Latin America; because immediately after our ratification it would be reasonable to expect that Russia would approach them for consular agreements similar to the one that we have, and ask for the right to set up consulates with completely immune consular representatives and employees in the various countries in Latin America which would yield to this kind of importuning. We cannot confine it to Latin America. Many other nations in the world would probably follow our course.

The PRESIDING OFFICER. The Senator's 20 minutes have expired.

Mr. HOLLAND. I yield myself an additional 10 minutes.

It is idle to say that those countries would not be affected by this course of action. I note that in the hearings Mr. Dobriansky, representing the captive nations, the league of captive nations, makes this point rather fully, and I shall quote from Mr. Dobriansky's statement on this subject.

It is found at page 149 of the printed record.

The risks not only of espionage but also of coercion, bribery, blackmail of American citizens with relatives in the U.S.S.R. some of which the Rumanians have been engaged in, and even sundry political warfare tactics directed against ethnic groups here are accentuated by the most gratuitous provision in the treaty of diplomatic immunity for crimes beyond misdemeanors. Even our friends and allies don't enjoy this privilege and, as admitted by the State Department, this privilege would be sought by others on a most-favored-nation basis, including other totalitarian Red governments. Guided by the Department's testimonies on these points, if I am correct in all of this, then trading for the so-called concession on notification and access our real concessions of politically slighting the captive non-Russian nations in the U.S.S.R., granting diplomatic immunity to consular officers, and accepting greater risks of espionage and political warfare activity in our open society renders the treaty a bum deal.

The current shell game of manipulating figures—10 or 15 or 20 Russian consular personnel in this country—not only misleads the public as to the qualitative determinants of effective espionage (it took only a handful of spies to rob us of our atomic secrets for the expedition of totalitarian Russian nuclearity) and the mentioned most-favored-nation sieve but also conceals the fact that a Senate confirmation of this treaty would open up a Pandora's Box of Soviet Russian pressure against every free government in Latin America.

The immediate objective would be similar consular conventions; the ultimate objective would be a really intensified political warfare in the area with a network of consulates as the prime instrument. This is a time when many of our own officials have been warning us to expect stepped up Red subversion throughout the continent. In

the misplaced spirit of "easing tensions," "normalizing relations," "pursuing peace" and other homiletical spurities, what Latin American government could refuse the request for a consulate after the supposed leader of the free world has extended this benefit to the rulers of the Kremlin. Beginning with 10 or 15 here we may well end up with several hundred additional Russian operatives in the hemisphere—and cloaked with diplomatic immunity.

Aside from that point, however, let us consider the most-favored-nation point. We have already had stated through the lips of Mr. Rusk himself that two Communist nations, satellites of Russia, would be included in that group. But if we look at the report of the committee there will be found on page 6 a paragraph which I ask to be included in the RECORD at this point in full.

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

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. HOLLAND. The paragraph to which I refer states, in effect, that we have consular arrangements with 35 countries under the most-favored-nation category, and that 27 of these 35 countries have consular establishments in the United States, employing a total of 577 personnel. Any of these 27 countries may, of course, request such immunity be granted to their consular officers and employees provided they are willing to do likewise.

Mr. President, the committee called attention to the fact that this question was a great deal broader than the mere provision of this consular pact affecting our country and Russia, in that it could be extended to a very large group of additional countries which have most-favored-nation status in their agreements with us, including at least two East European Communist countries.

Mr. President, let us go even further than that. Let us remember that consulates are not located in the capital of this country, Washington, nor the capital of the United Nations, New York. As a rule, because they are to serve business, they are economic agencies and they are located literally all over our country.

Here in Washington and in New York the police force and other officials know more about the danger of immunity in connection with embassies and ambassadorial staffs and are on the lookout constantly for misconduct from those sources. But consular offices will be located literally all over the country and the police staffs and other officers there are not prepared and not trained to cope with that sort of thing. The placing of these various spying organizations in all parts of our country, I believe, poses a very great threat to our Nation as a whole.

Mr. President, it was impossible in the time allowed to go into this matter on a national basis. However, I did ask the Secretary of State to furnish me with authentic information as to the number of consulates in Florida, my own State. He did so. Five are consulates of most favored nations. I think it would be enlightening for the RECORD to include not only the letter which I received from William B. Macomber, Jr., Assistant Secretary for Congressional Relations, dated March 13, 1967, but also the list of consular offices in Florida which is attached. I ask unanimous consent to have printed in the RECORD the letter to which I have referred from Mr. Macomber, dated March 13, 1967, and the attachment thereto.

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

DEPARTMENT OF STATE,
*Washington, March 13, 1967.*

Hon. SPESSARD L. HOLLAND,
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR HOLLAND: In response to your recent request in connection with the proposed US–USSR Consular Convention, we have compiled the attached list of foreign consular establishments and their personnel located in the State of Florida. The list separates honorary consular officers (i.e., part-time consular officers who are also employed elsewhere and/or who are American citizens) from career consular officers, since only career personnel could be entitled to most favored nation treatment under the US–USSR Consular Convention. You will note that 18 foreign countries have 23 consular establishments in Florida staffed with 39 career officers. Of these 18 countries, 5 have agreements in force with the United States requiring on a basis of reciprocity the granting of most favored nation treatment to career consular officers (Argentina, Colombia, Costa Rica, Honduras, and Mexico). These 5 countries have 9 career consular officers in Florida.

The American Embassies in these 5 foreign countries were requested to give their estimates as to whether most favored nation treatment would likely be sought on a reciprocal basis. Although the host governments were not necessarily consulted, the replies indicate that only one of the five countries, Honduras, would be likely to request such treatment and extend it to our consular officers there on the basis of reciprocity. Should the US–USSR Consular Convention enter into force, three consular officers of Honduras in Florida could therefore be entitled to immunity from the criminal jurisdiction.

You also asked that we comment on the question of Soviet ratification of the US–USSR Convention in view of the fact that they have not yet acted on it. We have no reason to believe that the Soviet Government will not ratify this treaty assuming that our own ratification is not conditioned by reservations or understandings. Comments by Soviet officials and the Soviet press treatment of the US Senate Hearings on the Convention indicate that they intend to approve it.

It is not Soviet practice to act first in ratifying agreements with Western governments. They have also not approved the consular conventions they have negotiated with the French, British, or Japanese presumably because they are waiting for the other side to make the first move. They handled ratification of the Limited Test Ban Treaty in a similar manner. Also it is worth noting that we, not they, proposed this Consular Convention and they may expect us to act first for this reason.

I hope you will be able to support this important treaty which I believe will be a major step forward in our ability to protect American citizens in the USSR. Please let me know if you have any further questions.

Sincerely,

WILLIAM B. MACOMBER, Jr.,
*Assistant Secretary for Congressional Relations.*

Enclosure: List of foreign consular establishments.

*Consular officers in Florida, 1966*

| Country | Location of consulate | Honorary consular officers | Career consular officers |
|---|---|---|---|
| Argentina [1] | Miami | | 1 |
| Austria | do | 1 | |
| Belgium | do | 0 | |
| | Tampa | 1 | |
| Bolivia [1] | Miami | 1 | |
| Brazil | do | | 2 |
| | Tampa | 1 | |
| Chile | Miami | | 1 |
| | West Palm Beach. | 1 | |
| Colombia [1] | Jacksonville | 1 | |
| | Miami | | 2 |
| | Tampa | | 1 |
| Costa Rica [1] | Coral Gables | 3 | |
| | Jacksonville | 1 | |
| | Miami | 3 | 1 |
| | St. Petersburg | 1 | |
| | Tampa | 1 | |
| Denmark | Jacksonville | 1 | |
| | Miami | 1 | |
| Dominican Republic. | Gainesville | 1 | |
| | Hollywood | 1 | |
| | Jacksonville | 1 | 1 |
| | Miami | 1 | 2 |
| | Panama City | 1 | |
| | Tallahassee | 1 | |
| | West Palm Beach. | 1 | |
| Ecuador | Miami | | 2 |
| | Tampa | | 1 |
| El Salvador | Miami | 1 | 2 |
| | Tampa | 1 | |
| Finland | Jacksonville | 1 | |
| | Lake Worth | 1 | |
| | Miami | 1 | |
| | Tampa | 1 | |
| France | Jacksonville | 1 | |
| | Miami | 1 | |
| Great Britain | do | | 2 |
| Guatemala | Daytona Beach | 1 | |
| | Jacksonville | 1 | |
| | Miami | 2 | 2 |
| | Pensacola | 1 | |
| | St. Petersburg | 1 | |
| | Tampa | 3 | 1 |
| Haiti | Miami | 1 | 3 |
| Honduras [1] [2] | Fort Lauderdale | 1 | |
| | Gainesville | 2 | |
| | Miami | 3 | 3 |
| Italy | Jacksonville | 1 | |
| | Miami | 1 | |
| | Tampa | 1 | |
| Mexico [1] | Miami | | 1 |
| | Tampa | 2 | |
| Netherlands | Jacksonville | 1 | |
| | Miami | 1 | |
| | Tampa | 1 | 2 |
| Nicaragua | Miami | 2 | |
| | Tallahassee | | 1 |
| | Tampa | | 1 |
| Norway | Jacksonville | 1 | |
| | Miami | 1 | |
| | Pensacola | 1 | |
| | Tampa | 1 | |
| Panama | Clearwater | 1 | |
| | Coral Gables | 1 | 1 |
| | Hollywood | 1 | |
| | Jacksonville | 2 | |
| | Miami | 4 | 3 |
| | Palm Beach | 1 | |
| | Tampa | 4 | |
| Paraguay | Fort Lauderdale | 1 | |
| | Miami | 1 | |
| Peru | Tampa | 1 | |
| Sweden | Jacksonville | 1 | |
| | Miami | 1 | |
| | Tampa | 1 | |
| Thailand | Miami | 1 | |

See footnotes at end of table.

*Consular officers in Florida, 1966*—Continued

| Country | Location of consulate | Honorary consular officers | Career consular officers |
|---|---|---|---|
| Uruguay | Jacksonville | 1 | |
| | Miami | | 1 |
| Venezuela | Jacksonville | 1 | |
| | Miami | | 2 |

[1] Countries having agreements with United States providing for most-favored-nation treatment of consular officers.

[2] Country which we believe would seek criminal immunity for consular officers on basis of reciprocity.

Source: Foreign Consular Officers in the United States, 1966; Department of State Publication 7846, April 1966.

Mr. HOLLAND. Mr. President, the letter to which I have referred shows a total of 23 consulates in Florida alone, representing 18 countries, and located in 16 cities in the State of Florida alone.

Mr. President, how typical this may be I am not prepared to say, but it does illustrate the fact that consulates are placed everywhere that there is any possibility of building business, and that these consulates that belong to most favored nations, some of which we have already in Florida, are scattered all around this Nation.

The tabulation furnished me, Mr. President, showed that there were 39 career consular officers representing these various countries who would come under the immunity provision if it were extended to their country, and 85 honorary consular officers who were serving part time. It did not show, however, the number of employees who were nationals of those countries. I asked for that information and I am sure they did the best they could but the best that they could do was to furnish me with information that 40 employees were located in these consulates in Florida alone.

Of the total of 40 employees, which they found quickly, 34 were nationals of sending countries, while six were U.S. nationals.

I believe there is enough information in this one compilation prepared by the State Department which has been given me affecting my own State to make it very clear what a chance we are taking in visiting upon citizens by the thousands who are citizens of these cities where consulates would be established, and 16 of the largest cities in Florida having from one to several consulates. Those cities are not prepared to cope with that kind of proposition and neither are most law enforcement officials in those areas.

It is my feeling that about the most unwise thing we could do, in adopting this consular pact, would be to leave in the provision that was sought to be stricken by the distinguished Senator from Georgia [Mr. TALMADGE]. We did our best to strike it, and failing to strike it, we must leave it as it is.

I believe it dooms this proposed consular pact to suspicion, and as far as I am concerned, it will doom it to receive my negative vote.

Mr. President, I wish that the time permitted a more general discussion of this entire program, but I wish to call attention, in closing, to the fact that if we want to have visited upon hundreds of thousands of American citizens in dozens of our cities this matter of being confronted with consular agents and employees, who are completely immune from prosecution for any crime, whether it be a felony or a misdemeanor, and many of whom, in addition, are saboteurs and trained in the arts of espionage and subversion, the way to do it would be to approve this consular pact.

I yield the floor.

Mr. THURMOND and Mr. GRUENING addressed the Chair.

Mr. HOLLAND. Mr. President, I yield 2 additional minutes to myself, and I yield to the Senator from South Carolina [Mr. THURMOND].

Mr. THURMOND. I wish to commend the able Senator from Florida for the magnificent address that he has delivered in connection with this matter. I wish to propound this question to the Senator: At the very time the Soviets are supplying 90 percent or more of the arms and equipment and the weapons to fight the war in Vietnam, does not the Senator feel that it would be psychologically unwise for the United States to enter into a treaty of this kind signifying to the other countries of the world that we now enter into this "good fellowship" treaty, that we are going to trust the Communists in the Soviet Union and carry on good relations with them at the very time they are providing the enemy with equipment with which to kill our boys in Vietnam?

Mr. HOLLAND. I thank the Senator for his question. Of course, if we were asked merely to endorse an ordinary consular treaty, there would be question enough. It would constitute a red flag for us to consider very carefully. But when there are provisions in this treaty which have been denied heretofore to all the friendly nations of the earth with whom we have had business relations since the early days of this country, I think it makes an intolerable situation.

I thank the Senator for asking that question.

Mr. THURMOND. I should like to propound this further question to the Senator. Inasmuch as we know that the Soviets have already violated this proposed treaty now before the Senate and ready to be voted upon, in more than 20 instances since it was first signed in 1964, does not the Senator feel there is every reason to believe that they will continue to violate it in the future?

Mr. HOLLAND. I do. I think that knowledge makes the red flag even redder, and even bigger. I think that we should stop, look, and listen before we even think of approving this treaty.

Personally, I do not favor approving it.

Mr. THURMOND. I wish to thank the Senator from Florida.

Mr. GRUENING. Mr. President, I should like to be recognized for 15 minutes.

The PRESIDING OFFICER (Mr. KENNEDY of Massachusetts in the chair). The Senator from Alaska is recognized for 15 minutes, out of the time of the Senator from South Dakota [Mr. MUNDT].

Mr. GRUENING. I thank the Chair.

Mr. President, over the past few weeks, I have given intensive study to the Consular Convention now before the Senate and have paid particular attention to the facts brought out by those who favor the treaty and those who are opposed to it. This debate has served to bring out many points which were not readily discernible and has clarified a number of ambiguities. I also have sought additional information from the Department of State. Like many other Senators, I have received a considerable amount of mail from my constituents, the overwhelming number of whom were opposed to the treaty. Like many other Senators, I have given many hours to pondering over the difficult issues involved in this matter.

I have finally concluded that I cannot approve the Consular Convention in its present form.

First, I have been impressed with the argument that the convention in and of itself does not insure the adequate protection of U.S. citizens traveling in the Soviet Union. The convention merely provides for access by U.S. consular officials within a specified time to U.S. citizens detained in Russia for violations of Soviet law. It does not assure that they will be given a speedy or fair trial as we know it and merely provides a means whereby our Government can make representations to the Soviet Government. Past experience has shown beyond doubt that the effectiveness of such representations are dependent on the political climate at the time. If the Soviet Union chooses to "heat up" the cold war, it can undoubtedly detain or imprison U.S. citizens with little regard to the terms of the Consular Convention. It would likewise be true that we could, similarly, if we so desired, "heat up" that war.

The Roosevelt-Litvinov agreement of 1933 provided protection for U.S. citizens very similar to those contained in the Consular Convention, but the numerous cases of detention of Americans without notification to U.S. authorities attests to the fact that the provisions of any treaty or agreement mean to the Russians only what they choose to interpret it means. It would also appear that the Consular Convention is not required in view of the existence of the 1933 agreement.

The Roosevelt-Litvinov agreement accorded the United States the same terms as those awarded to the "most favored nation," which in 1933 was Germany. The Department of State contends that this agreement is no longer in effect since it has been abrogated by the German invasion of Russia in 1941. Nonetheless, the Department of State has cited this agreement to the Soviet Union in recent years to support its case for access to U.S. citizens detained in Russia. I can only guess at the reasons the Department of State had for going forward with a new treaty instead of seeking a reaffirmation on the part of the Soviet Union of the terms of the Roosevelt-Litvinov agreement, but I think it not unwarranted to assume that the new treaty has been proposed as evidence that we can get along with the Soviet

Union at the same time as we are fighting against communism in Asia as the administration alleges we are doing and where the Russians have come to the aid of the Vietcong and their North Vietnamese supporters who are fighting against U.S. forces which are supporting, the self-imposed regime of Marshal Ky and his generals. The Russians' aid came after U.S. military intervention and was in response to it and its escalation.

The debate in the Senate on the Consular Convention has also disclosed the fact that the Soviets have not honored the provisions of the Consular Convention in the 30 months that have passed since it was signed. Secretary of State Rusk has admitted that there have been 20 instances since the treaty was signed in 1964 in which the provisions were not met by the Soviets.

Equally persuasive has been the fact brought out in the debate that the treaty provisions for granting immunity for consular officials from criminal acts is far more comprehensive than any treaty we have entered into with other countries, including our closest allies. The Department of State has furnished me with a list of 35 countries with whom we have consular agreement which contain a most-favored-nation clause. In accordance with this clause, the total immunity accorded the Soviet Union by the proposed treaty would be extended to each of the 35 countries. These countries are shown in the following table:

THIRTY-FIVE MOST-FAVORED-NATIONS PROVISIONS IN AGREEMENT WITH THE UNITED STATES

Argentina, Austria, Belgium, Bolivia, Colombia, Costa Rica, Cuba, Denmark, Estonia, Ethiopia, Finland, France, Germany, Greece, Honduras, Iran, Ireland, Italy, Latvia, Liberia, Rumania, Mexico, Morocco, Nepal, Norway, Paraguay, Philippines, Saudia Arabia, Spain, Sweden, Switzerland, Thailand, Yemen, Yugoslavia, Zanzibar.

The Department of State estimates that 11 of the 35 countries will choose to avail themselves of the total immunity provisions. The countries and the number of consular officials involved are shown in the following table which was given to me by the Department of State:

*Possible most favored nations extended based upon Embassy estimates*

(With estimated number of consulate personnel)

| | |
|---|---|
| Austria | 3 |
| Belgium | 15 |
| Costa Rica | 9 |
| Honduras | 10 |
| Iran | 15 |
| Ireland | 30 |
| Italy | 151 |
| Liberia | 5 |
| Paraguay | 2 |
| Philippines | 28 |
| Switzerland | 22 |
| Total | 290 |

It has also been brought out in recent days that there is a likelihood that Soviet officials accredited to the United Nations could be named as consular officials, thereby according those officials the kind of immunity proposed in the Consular Convention. This would extend immunity to over 900 Soviet officials now in the country—a number which contrasts sharply with the representations that the new treaty would involve only 10 or 15 additional Soviet officials.

My efforts to understand the basic issues involved in the Consular Convention have not been facilitated by the explanations of the Department of State. It is evident that officials of that Department have been playing both sides of the street. To those who question the extent of additional penetration of Soviet officials in the United States and the likelihood of increased espionage made possible by the treaty, the Department of State replies that the Consular Convention is a very minor matter which will serve only to protect American citizens traveling in Russia, that the power to decide how many Soviet consulates will be established will remain with the President, and that only a few Soviet consular officials will be involved in any new consulates which are thereby established.

On the other hand, the Department of State argues that if the Consular Convention is not approved then it will be unable to proceed with its grand plan of "building bridges to the East." It is argued that if this preliminary step cannot be taken, then no progress can be made toward achieving other steps in this grand plan.

I can reach no other conclusion but that the Department of State, in pressing for approval of the Consular Convention, wants to eat its cake and have it too. If we are fighting a war in Vietnam against a Communist movement aggressive in its intent and international in its aspirations, if there is an exact parallel between Hitler and Ho Chi Minh, if the lesson of Munich is that we cannot appease aggressors, and if the aggressors in Vietnam are viewed as the instruments of international communism, then we have no business considering any steps to "build bridges to the East." The Department of State cannot press for an ever increasing escalation of the war in Vietnam and contend at the same time that such actions are consistent with the establishment of cordial relations with the Soviet Union.

There is but one road to reaching the détente with the Soviet Union which the Department of State claims it is seeking, and that is to negotiate an honorable settlement of the war in Vietnam—a war which for 3 years I have denounced as wholly needless, illegal, and immoral and in which I regret to say the United States, contrary to official pronouncements, is the aggressor. I have repeatedly documented these views and will not take the time to do it again now. The day this war ends, I would be among the first to vote in favor of the Consular Convention. But as long as the United States presses forward to achieve a military victory in Vietnam—a prospect which we have been repeatedly assured is within our grasp but which remains as elusive as ever—the Department of State must realize that its objectives of increased accommodations with the Soviet Union cannot realistically be achieved.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. THURMOND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. To be charged to the time of the Senator from South Dakota?

Mr. THURMOND. Yes.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BYRD of West Virginia. I yield myself 10 minutes out of the opposition time.

The PRESIDING OFFICER. The Senator is recognized.

## BIRTHDAY ANNIVERSARY OF SENATOR MIKE MANSFIELD

Mr. BYRD of West Virginia. Mr. President:

"How far away is the temple of fame?"
Said a youth at the dawn of the day.
He toiled and strove for a deathless name;
The hours went by and the evening came,
Leaving him old and feeble and lame,
To plod on his cheerless way.

"How far away is the temple of good?"
Said another youth at the dawn of the day,
He toiled in the spirit of brotherhood,
To help and succor as best he could
The poor and unfortunate multitude,
In its hard and cheerless way.

He was careless alike of praise or blame,
But after his work was done,
An angel of glory from heaven came
To write on high his immortal name,
And to proclaim the truth that the temple of fame
And the temple of good are one.

For this is the lesson that history
Has taught since the world began;
That those whose memories never die,
But shine like stars in the human sky,
And brighter glow as the years go by,
Are the men who live for man.

Today I speak briefly of just such a man, a man who in all of his public career has lived for, and has served, his fellow man.

He is a man of ineluctable courage, indubitable integrity, and unquestionable character.

The unswerving respect which his colleagues hold for him is equaled only by his undeviating fairness toward them.

He that hath friends must show himself friendly.

The man of whom I speak is friendly, and he has a multitude of friends.

He is unassuming, generous, and considerate of the opinions of others. He is understanding, yet frank; resolute, yet kind.

A leader among men, a sovereign among his peers, he is yet a man of humility. No one doubts his sincerity of purpose. No one doubts his devotion to duty.

He is a Democrat, charitable toward those who are not Democrats.

He is a westerner, in whose philosophy there is no West, no East, no North, no South.

He is a gentleman, yet earthy; erudite, yet plain.

He is an American, patriotic but cosmopolitan, whose Irish parents were immigrants.

His heart is as stout as the Irish oak and as pure as the lakes of Killarney.

His birthday, fittingly, enough, is today, the day before the day commemorating the patron saint, St. Patrick.

The man for whom I wear the green today and to whose birthday I call attention is the man we are proud to salute as our majority leader, MIKE MANSFIELD.

I join in wishing him many happy returns of the day.

Mr. GRUENING. Mr. President, no Member of the Senate could fail to agree with the West Virginia Senator's splendid, deserved, and wholly accurate estimate of our beloved majority leader. I congratulate the Senator from West Virginia for having so skillfully phrased a tribute so eloquent in its language and so true to the facts.

I doubt whether we have ever had a majority leader for whom such universal and unanimous approval, support, and sympathy have been vouchsafed on both sides of the aisle as in the case of MIKE MANSFIELD; and I feel myself fortunate to have been present on the floor on the occasion when this deserved tribute is made. I endorse it wholeheartedly and enthusiastically, and am proud to join with the Senator from West Virginia in his tribute to the senior Senator from Montana and our majority leader.

Mr. BYRD of West Virginia. I thank the Senator from Alaska. I yield now to the Senator from Connecticut.

Mr. RIBICOFF. Mr. President, I am in complete agreement with what my fellow Senators have said concerning the distinguished majority leader. In this body there are 100 individuals. Each and every one of them differs in personality and outlook. I am sure that if I were to advise a young Senator as to which one of the hundred he should pattern himself after, I would say the Senator from Montana—thoughtful, considerate, polite, learned—and yet in his learning he makes his points with such simplicity that there is no question in anyone's mind as to the meanings of his words, or his philosophy.

In addition to his character, personality, and ability, the Senator from Montana is a gentleman in the best sense of the word. There is not anyone in this body who has a problem or needs advice, who does not receive a sympathetic and considerate ear from the majority leader. I know that I speak for all of our fellow Senators in wishing him the best returns of the day, and may he have many, many more, in good health and happiness in service to the Senate and to his fellow man.

Mr. BYRD of West Virginia. I thank the Senator from Connecticut. I yield now to the Senator from North Carolina.

Mr. JORDAN of North Carolina. Mr. President, I did not know it was our distinguished majority leader's birthday until I arrived on the floor and heard the poet laureate of the Senate embarking on his tribute. I merely wish to say that I join with him in the eloquent remarks he has made. If I could, I would add to them, but I am sure I cannot. I do, however, wish to join in wishing him many, many happy returns of the day.

This morning I received a letter from the president of the University of North Carolina, telling me what a good time they had there when the majority leader was down there during the last few days, and what a great job he did. I think that is characteristic of the majority leader—wherever he appears, he always does a good job and makes a good impression. I was personally delighted that he did go to North Carolina, because I knew he would leave that kind of impression. I wish for him many happy returns of the day.

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

Mr. BYRD of West Virginia. I yield to the Senator from Kentucky.

Mr. MORTON. I wish to associate myself with the remarks of the Senator from West Virginia, and take this opportunity to say that I am sure all my colleagues on this side of the aisle join me in that, and in wishing to our majority leader many more years of happiness.

I notice that it was not mentioned just what anniversary this is. I am sure that, like myself, he has reached the point where he does not like to be reminded of his years. But we do salute him on his natal anniversary.

Mr. BYRD of West Virginia. I thank the Senator from Kentucky. I yield to the Senator from Florida.

Mr. SMATHERS. Mr. President, I am happy and delighted to have happened to walk into the Chamber and see my fellow Senators paying just tribute to our distinguished majority leader on his birthday. I saw these green flowers in everyone's lapel, and I assumed for the moment that they were in recognition of St. Patrick's Day, which, as I remembered it, would be tomorrow. But I am glad to see, rather, that they are for St. Michael's Day. If ever anybody was appropriately named and called a saint, it is MIKE MANSFIELD, because I do not know of anyone who could have put up with all the difficulties of having to corral large numbers of Senators under the most trying type circumstances, and have done it better than this man whom we honor today on his birthday.

Mr. President, I could go along at great length and talk about my great admiration and affection for him, but I am sure he knows about it. It is sincere, deep, and lasting; and I wish to join with those Senators who have spoken and, I am sure, others who will wish they could have walked in here as I did, and found the Senate paying tribute so justly to MIKE MANSFIELD on his birthday.

Mr. BYRD of West Virginia. I thank the Senator from Florida.

Mr. METCALF. Mr. President, I, too, wish to join in congratulating Montana's senior Senator on his birthday.

Six years ago as my first official act as a newly elected Senator it was my privilege to nominate MIKE as majority leader. I did so again when the 89th Congress convened. These may have been two of the most significant nominations I have made.

After 6 years of Senator MANSFIELD's leadership, we have all come to appreciate the Mansfield technique. We know that we have a majority leader who regards every Senator as an equal in a peerage that he respects. He enjoys the profound respect and the deep affection of all who have served—not under him, the majority leader—but with him as a coequal.

He is fortunate in that he has happily combined the duties of Senator from Montana, as a majority leader of the Senate, and the representative of the administration so that there has been no conflict with conscience or conviction.

This honest, unassuming, and decent man has demonstrated that, as the junior Senator from Florida [Mr. SMATHERS] pointed out one day: "Nice guys in baseball may finish last, but in politics nice guys are winners."

I hope this is a happy birthday for the nicest and ablest guy I know, Senator MIKE MANSFIELD, and wish for him many more happy and productive years.

Mr. MUNDT. Mr. President, this is a day that should have been our Majority Leader's Day, a day to spend in any way he might choose. It is his birthday anniversary. However, I suspect that if our distinguished majority leader, the senior Senator from Montana, did give any thought as to how best he would want to note the important event in which his parents gave to his State and our Nation a son who has more than fulfilled every promise they held in their hearts, he would have chosen to do exactly what he has done on this March 16, 1967—to continue at his tasks of leadership in the Senate's conduct of the business before us.

To do his job diligently, fairly, and firmly defines this Senator's viewpoint of our majority leader's approach to the significant and vital responsibilities which he holds. Whether this might be his definition, I do not know, but I think when any assessment is given of Senator MANSFIELD'S fulfillment of his duties and obligations, one cannot overlook his diligence, his fairness, and his firmness.

That he is diligent is constantly demonstrated in this Chamber, in our other Senate proceedings, and in his own office. His load is a difficult and heavy one, but this does not lessen his pursuit to complete the tasks at hand and prepare to take on the new ones which lie ahead.

That he is fair goes without challenge. Nor does his fairness require elaboration, for the honor and truth ingrained in such a man as MIKE MANSFIELD speaks most eloquently as it shines through each day in this legislative body.

That he is firm, one need only to meet the man to know that his principles and his convictions never swerve from his deep and dedicated concept of service to our Nation.

And out of this diligence, his fairness, and his firmness, comes his warm friendship which all of us share and which shall always be remembered when the time comes, as it must, and we look

back on these years of service together from the vantage point only of fond memory.

Happily, those days of fond memory lie well beyond the horizon, and for us, we can pleasantly look to the present and a continuation of our majority leader's distinguished service with a birthday wish that this March 16 is but one of many more to come for our distinguished colleague and our personal friend.

Mr. DODD. Mr. President, it is a pleasure to join with my many colleagues in wishing our distinguished majority leader, MIKE MANSFIELD, the very best on his birthday and in the years ahead.

MIKE MANSFIELD is known by all to be a kind, gentle, honorable, and exceedingly patient man.

But he is much more than this.

He is a giant of a man, not because he is an influential and articulate public figure but because of his way of being unfailingly courteous, understanding, and sympathetic to others.

I have seen him, time and time again, go out of his way to help out me or another colleague, or make that extra effort to understand or accommodate one of us.

No finer person has ever graced the Halls of Congress, and I consider it a privilege to have known and worked with MIKE MANSFIELD during my 8 years in the Senate.

Mr. RANDOLPH. Mr. President, the record books reveal that the distinguished majority leader, the able senior Senator from Montana [Mr. MANSFIELD], is involved today in a significant event, the anniversary of his birth.

But, in the words of Samuel Ullman:

> Nobody grows old by merely living a number of years; people grow old only by deserting their ideals.

By that definition, MICHAEL J. MANSFIELD will never grow old.

And, Mr. President, these lines from the pen of H. S. Fritsch are appropriate as we pay tribute to MIKE MANSFIELD and know in doing so that he is truly a cheerful and friendly leader and gentleman of unquestioned character:

> Age is a quality of the mind.
> If you have left your dream behind,
> If hope is cold,
> If you no longer look ahead,
> If your ambition's fires are dead—
> Then you are old.
>
> But, if from life you take the best,
> And if in life you keep the jest,
> If love you hold;
> No matter how the years go by,
> No matter how the birthdays fly—
> You are not old.

Indeed, Mr. President, our leader may be a year older, but he is not old. But to him and to all our colleagues, I suggest cogitation of this thought: Do not resent growing old—many are denied that privilege.

Mr. MONTOYA. Mr. President, it is a pleasure for me to join in paying tribute on his birthday today to the majority leader of this body, the distinguished senior Senator from Montana [Mr. MANSFIELD]. There is so much that can be said of him, yet all of it and more would not be enough to do him full justice.

From the first day that I entered this body I have been aware of the unique qualities of leadership the majority leader possesses in such full measure. It takes an exceptional individual to master the complexities of the workings of this body, yet the Senator from Montana has done so to an astounding extent.

It can be said of many men that they are masters of one field of knowledge, or even of some that they are masters of two. The senior Senator from Montana, however, enters a category reserved for but a handful in that he can be policymaker, peacemaker, scholar, political leader, and adviser to so many in this body.

Who among us has not had cause to be grateful for his knowledge, counsel, experience, courtesy, and understanding? He is living proof of the fact that there are gentlemen in politics. I for one do not hesitate to say that he has more than once enabled me to increase my effectiveness on behalf of the people of my State by the exercise of the qualities I have described.

He carries upon his shoulders a series of burdens, any one of which would stagger most men. Yet it does not hinder his effective performance of daily duties, qualities of leadership, and character.

To those with whom he is in disagreement, he is a fair and scrupulous opponent. To those whom he counsels, he is an honest adviser, never giving the impression that he is acting in a condescending manner toward them. To those who need a profound, swift understanding of a special problem, he lends a ready and willing ear. Truly, he is a U.S. Senator in every sense of the word.

Mr. President, this Chamber has witnessed the comings and goings of many of the great and near great in the American procession. Most come, serve, and pass on, doing what is within their power to represent their States. A few are remembered beyond their tenures for a lasting piece of legislation, a remarkable speech, a notable stand on an issue or a personal characteristic. A tiny handful are remembered for all these and more. The distinguished majority leader falls into this most special of categories.

For he personifies the best qualities of this body—ability without condescension; character without impatience; leadership without arrogance; patriotism without hysteria; these are all combined in this man. For these reasons he is universally respected, sought out daily, looked upon with affection by all, and is remembered by all those who have the privilege to know him as very much a Senator, very much an American, and very much a man. My very best wishes to my colleague on this, his day. May it bring him much joy. May he celebrate many other such days among us.

The PRESIDING OFFICER. The Senator's 10 minutes have expired. Who yields time?

Mr. MANSFIELD. Mr. President, in view of the situation which has developed, I must admit I am a little embarrassed. I do not like to recall my birthdays at this time in life.

I suggest the absence of a quorum, with the time to be charged to the other side.

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.

## CONSULAR CONVENTION WITH THE SOVIET UNION

The Senate resumed the consideration 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 (Ex. D, 88th Cong., 2d sess.).

Mr. MANSFIELD. Mr. President, I wish to serve notice that of the remaining 30 minutes on this side, 20 minutes, at least, will be given to the distinguished minority leader, 8 minutes will be given to the ranking minority member of the Foreign Relations Committee, the Senator from Iowa [Mr. HICKENLOOPER], and perhaps the Senator from Montana will use the remaining 2 minutes.

In the meantime, I yield 10 minutes, on behalf of the other side, to the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. McINTYRE. I thank the majority leader.

Mr. President, I intend to vote to ratify the Consular Convention. I have decided to do this only after a long and careful study of the issues raised by the convention, and only after I had satisfied myself that the advantages which would accrue to the United States far outweighed the claimed defects of the proposal.

As I see it, this convention offers the United States several substantial advantages. Some of these appear on the face of the convention itself. It clearly is in the national interest to be assured that American citizens will not be arrested without prompt notification to our officials. It certainly is in the national interest to allow our consular personnel to consult with imprisoned Americans. It certainly is in the national interest to permit U.S. consular officials in the Soviet Union to have greatly expanded immunity from the strange criminal laws of that nation. It is a great coup for our negotiators to have been able to persuade their Russian counterparts to make these special concessions to the United States, concessions and privileges given by the Russians to no other nation, and privileges regarding consultation which are not even enjoyed by Soviet citizens themselves.

These provisions are particularly advantageous when they are measured against the historic Soviet pattern which has resulted in the imprisonment of a number of American citizens in past years.

Mr. President, even more than these

substantive advantages which appear from the provisions of the convention itself, there is another, more important, reason why the Senate should vote for ratification today. For a generation now, the United States and the Soviet Union have held significant differences of opinion regarding the world about us.

These differences have resulted in the hostilities and the tensions of the cold war, and the tragedies of the hot wars in Korea and now in Vietnam. We won our battle in Korea. I am convinced that we shall win the struggle in Vietnam. But shall we win a convincing victory in Vietnam only to be confronted with more and more future wars, or shall our eventual victory there mark a turning point toward a world at peace and proud of itself, a world in which our children can grow up to live to their full potential as human beings and in which our winning battles are fought against the enemies of disease, and poverty, and illiteracy? We can help shape the answer to that question, and we can begin to shape that answer today.

I believe that we bear a strong responsibility to be willing to agree with the Soviet Union in those areas where agreement is possible, as well as being willing to disagree where we must. I am disheartened with those men who are always willing to fight to resolve disagreements, but who are never willing to admit the possibility of having agreements. I believe that it is only by making a full and fair effort to seek areas of agreement with our adversaries that we can maintain the hope of future peace.

How does this relate to the Consular Convention? As Senators know, this will be the first bilateral treaty to enter into effect between the United States and the Soviet Union. We are here confronted with our first opportunity to put into action our belief that a world at peace is a possible goal. And I believe that this is the most substantial advantage which accrues to our Nation by ratification of this treaty; we shall go on record as indicating our firm commitment to the search for a key to a world at peace and proud of itself.

Now, Mr. President, I have been in the Senate long enough to have learned that any issue which is important enough to reach our floor has two sides. I have discussed the advantages of this convention; I should like to turn to the disadvantages for a moment. And I would like to differentiate between the phony arguments which have been advanced by the opposition, and the meaningful ones.

I have received a great deal of mail opposing ratification. A few weeks ago my mail was running at a rate of 200 to 1 against the treaty. Then I issued a statement to the press explaining how my mail was running, and who the organizations were that were stimulating the mail. The result was amazing. During the past 2 weeks the mail which I have received in opposition to ratification has dwindled, and the mail in support has multiplied.

The opposition mail, when it has not been simply a carrier of senseless invective, has contained argument after argument against ratification. Every single one of these arguments—with only one exception—has turned out to be phony, based upon misstatements of fact, distortions, and emotional appeals to prejudice.

These arguments have been ably rebutted on the floor of the Senate during the past week. I refer to such arguments as those based on the experiences of the refugee Kasenkina—who was not a refugee—or the so-called Litvinov agreement—which was ambiguous to begin with and in any event has no relevance today—or the dangers of Soviet consulates—although ratification of this convention is not needed to establish Soviet consulates here now—or the extension of immunities to other Communist consular personnel under the most-favored-nation clause—although this does not in fact happen—and so on.

I believe that only one of the arguments advanced by the opponents of this convention has maintained any logical or intellectual sense. This argument is simply stated—how can we grant these privileges to the Soviets at a time when they are supplying equipment which is being used, even now as I speak, in opposition to our forces in Vietnam? This is the fundamental basis of the opposition to ratification of the convention at this time, and I would like to explain why I consider this to be an insufficient reason for voting no today.

I think that the answer to this argument must be based upon a full understanding of America's goals in the world, and the steps which we must take to achieve these goals.

Our goal should be to so conduct ourselves as to maximize the possibilities that the world of the future is one in which we can partake of the Great Society of mankind, in which nations do not make war any more, and we can truly beat our swords into plowshares and our spears into pruning hooks. To do this, we must, as we are doing today in Vietnam, be ready to meet aggression with our might wherever it appears, so that the aggressors of this world will learn that their conduct will never be successful as long as this Nation stands. This is a major reason for my support of our policies in Vietnam today.

But, for the same reasons and to achieve the same goals, I believe that we must conduct ourselves in such a fashion that even our most bitter enemies can have no doubts about our willingness to meet them on the fields of peace. And for this purpose, I believe that the present convention offers us an opportunity to show that we will not spurn the hand of constructive negotiations when it is offered.

So, Mr. President, when the opponents of ratification say that we cannot ratify because we are at war, my answer is that we must ratify for the same reason that we are at war—because both war and ratification are essential steps toward our goal of a world at peace.

RECESS

Mr. BYRD of West Virginia. Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

The motion was agreed to, and (at 12 o'clock and 55 minutes p.m.) the Senate took a recess subject to the call of the Chair.

The Senate reconvened at 1:15 p.m. when called to order by the Presiding Officer (Mr. MANSFIELD in the chair).

The PRESIDING OFFICER. The Senator from South Carolina is recognized. How much time does the Senator require?

Mr. THURMOND. Mr. President, I ask unanimous consent that I may proceed for 15 minutes.

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

Mr. THURMOND. Mr. President, before the Senate votes on the resolution of ratification on the Consular Treaty I wish to emphasize a few points.

In carefully studying this treaty I have not found a single valid reason for the Senate to ratify it. There are many valid reasons why it should not do so. I have covered some of these reasons in previous addresses I have made before the Senate on this subject. I shall not have time today to reiterate all of these reasons.

I do wish to say that the record of aggression, subversion, and expansion by the Soviet Union is well known; and this alone is sufficient for the Senate to vote against ratification of the treaty.

Mr. President, it is clear that the Soviets still have as their goal world domination and enslavement and it is crystal clear that the Soviet Union has not abandoned that goal. The single most important step to bring peace to the world today would be for the Soviet Union to renounce its goal of world domination.

Mr. President, at this point in my remarks I ask unanimous consent that those instances beginning in 1956 and ending in 1967, given by the distinguished Senator from Connecticut [Mr. DODD] in his address to the Senate on March 8, 1967, be printed in the RECORD.

The PRESIDING OFFICER (Mr. KENNEDY of Massachusetts in the chair). Without objection, it is so ordered.

The excerpts ordered to be printed in the RECORD are as follows:

In 1956 there was the suppression of the Hungarian revolution.

In November 1958 there was Khrushchev's Berlin ultimatum threatening us with all-out thermonuclear warfare if we failed to yield to his demands.

In January 1959 Fidel Castro seized power by fraud in Cuba, and then proceeded with Soviet help to impose an open communist dictatorship on the Cuban people.

In February 1960 there was the World Conference of Communist Parties in Moscow, where all the talk was in terms of a final all-out assault on the bastions of imperialism, and where Khrushchev asked the delegates to "synchronize their watches" in preparation for this assault.

In the summer of 1960 the Soviets attempted to seize power in the Congo, working through Patrice Lumumba. They were frustrated only when the Army rose against Lumumba and forced the 500 man Soviet mission out of the country.

In December 1960 the Soviets opened the Laotian crisis by publicly mounting an airlift of weapons to the insurgent forces in that country.

In April 1961 there was the Berlin Wall.

In August 1961 the Kremlin, after many months of careful preparation, abrogated the

moratorium on testing, and embarked on their massive series of atmospheric tests, culminating in the explosion of their 60 megaton superbomb.

In the summer of 1962 the Soviets with the greatest secrecy began building missile sites in Cuba and shipping intermediate range ballistic missiles to equip them.

When the matter was first raised, the Soviets gave us their solemn assurance that they had no missiles in Cuba.

In 1963, there was a bloody Communist coup in Zanzibar carried out by Castro trained Africans, with the participation of Castro Cubans. As a result of the ill-advised federation of Zanzibar with Tanganyika to form the new country of Tanzania, the communists have not achieved a position of near dominance in the government of President Nyerere. It is a situation which is causing grave concern in all of East Africa.

Beginning in 1963, the Soviets, through their massive shipments of arms to President Sukarno, made themselves primarily responsible for Sukarno's so-called "confrontation" with Malaysia, which virtually succeeded in bankrupting Indonesia and created a serious danger of war in Southeast Asia.

1963 also witnessed Nasser's invasion of Yemen, with arms supplied by the Soviet Union and with its open political encouragement as well. The Soviets cannot escape moral responsibility for this cruel war and for the growing threat it now poses to the entire Arabian peninsula.

In October 1963 the Soviets further inflamed the highly dangerous situation in North Africa by sending arms and equipment to the Ben Bella government in large quantities and by openly inciting the Algerians against the Moroccans.

In January 1964 there were the terrible Panama riots, organized and led by identified Castro agitators and supported to the hilt by the entire Soviet propaganda apparatus.

In January 1966 there took place in Havana the so-called Tricontinental Conference of African, Asian, and Latin American peoples. The Soviets were the chief sponsors and financial backers of the Conference, and the Soviet delegation was the largest to attend it. United States imperialism was designated the chief enemy by the delegates to the Conference. A continuing apparatus of subversion was set up under Soviet control.

The fact that the Soviet Union has emerged as the principal architect of revolutionary violence in the hemisphere was recognized by the Special Consultative Committee on Security of the Organization of American States. Speaking about the Havana Conference, the report of the committee said—I quote:

"The Committee recognized that the tremendous significance of the event, of major seriousness inasmuch as it means a declaration of war against the democracies, lies in the fact that, it is no longer Cuba on its own initiative that proposes to export its 'revolution' to the other countries of the hemisphere, but Russia that makes common cause with the 'revolutionary movements' and promises determined support to the 'popular liberation movements' that follow the example of Cuba."

In 1966 and in this year of 1967 Soviet arms shipment to the leftist regimes of Syria, Algeria, the U.A.R., Iraq and Somalia, and Soviet political activities have posed a serious threat to the security of every country, all the way from Gibraltar to Aden.

We have been warned by King Hussein of Jordan, and by other Arab moderates, and even by prominent anti-communists in the UAR, that the current epidemic of unrest in the Middle East must not be viewed as a rash of unrelated incidents—that each of these many incidents, in fact, is an integral part of a coordinated plan designed to give the Kremlin control of the whole of North Africa, and to give them control as well of Arabia's fabulous oil deposits, which are estimated to contain ⅔ of the world's known reserves.

I challenge anyone to reconcile this current record of Soviet activity—in the Far East, in Africa, in the Middle East, and in Latin America—with the assertion that we are today in a state of detente.

Mr. THURMOND. Mr. President, to relate further instances indicating reasons for distrust of Soviet policy, I would mention first the suicide of Newcomb Mott. Soviet authorities alleged that American citizen Newcomb Mott committed suicide on January 20, 1966, on a prison train while en route to a Siberian labor camp. Mr. Mott had been sentenced on November 24, 1965. When his body was returned to the United States, an independent examination of the evidence by Dr. E. J. Felderman, Director of Laboratories at two New York hospitals demonstrated beyond question that Newcomb Mott was murdered and that his death could not have been suicide.

As a second reason I would refer to the case of Gerald Brooke, a British citizen, who is currently serving 5 years in a Soviet labor camp at Potyemlag, a labor camp about 400 miles east of Moscow. The Soviet Union has contended that there are no longer any political prisoners in the U.S.S.R. How much the Soviet Union has changed since Stalinist days is indicated by the fact that Mr. George Brown, the British Foreign Secretary, intervened for Mr. Brooke during the December 1966 visit of Mr. Brown to Moscow. The only thing Mr. Brown could get was the "concession of a belated interview with the British Consul" according to the British weekly, the Spectator, December 23, 1966. Furthermore, the Spectator quoted Prof. Robert Conquest as stating that the charge against Brooke—taking anti-Communist material into the Soviet Union—was false, since Brooke's right to do so is "specifically provided for in the United Nations Declaration on Human Rights."

As a third instance, I should like to refer to the West Berlin border murders, in 1967.

While Soviet diplomats ask whether we trust them, the East German Communist regime—under close domination of the Soviet Union and with Soviet soldiers stationed throughout the country—continued in January 1967 to kill refugees even after the refugees reached Western territory. The London Times, January 29, 1967, reported that two East German refugees were "on U.S. sector territory" when they were killed by Communist border troops and that a third refugee "was seized and arrested by Communist soldiers when he was already on the West Berlin bank of the canal." An American protest note was sent by U.S. Ambassador to West Germany, George C. McGhee, to Soviet Ambassador to East Germany, Pyotr Abrasimov, but it was refused by the Soviets.

As a fourth instance, I refer to the case of U.S. citizen Kazan-Komarek and the U.S. agreement with Aeroflot.

Early in November 1966 the United States agreed to grant landing rights to the official Soviet air service, Aeroflot, in New York. On October 31, 1966, the Aeroflot agency diverted a Soviet airliner—on a direct Moscow-Paris flight—to Prague, Czechoslovakia, so that Czech secret police could seize Mr. Vladimir Kazan-Komarek, a naturalized U.S. citizen. His arrest was kept secret and was not made known until November 15. Having been held incommunicado from October 31 until January 30, 1967, Mr. Kazan-Komarek was secretly tried and on February 1, 1967, was sentenced to 8 years for "antistate activities." It is interesting to note that the Wall Street Journal—February 2, 1967—reported that the U.S. State Department said the "Russians deliberately diverted the plane to Prague."

For full details on the Kazan-Komarek case see the Washington Evening Star, 15 and 19 November 1966, and the New York Times, January 31 and February 2, 1967.

After "intensive secret diplomacy"—including, apparently a warning that trade could be affected—Mr. Kazan-Komarek was expelled from Czechoslovakia on February 4, 1967. It would now appear that the seizure and holding of this U.S. citizen was in retaliation for the U.S. expulsion of Czech attaché Jiri Opatrny. See the New York Times for February 5, 1967.

As a fifth instance, I would refer to the attempt by the Czech secret police to "bug" the U.S. State Department, in May and July 1966.

Related to the Kazan-Komarek case was the attempt of the Czech secret police to plant a listening device in the office of Raymond Lisle, director of State's Bureau of Eastern European Affairs. The FBI apprehended Mr. Jiri Opatrny, a Czech having diplomatic immunity, and he was expelled for his subversive activity. See the Washington Evening Star, November 15, 1966. Czech attempts had continued until July 1966. For further details, see the "1966 FBI Annual Report," pages 26–27.

As a sixth instance, I would refer to the case of Volker Schaffhauser.

A citizen of the German Federal Republic, Mr. Volker Schaffhauser was arrested in Leningrad on January 5, 1967, by the Soviet secret police, but the German Embassy was not notified until much later. The incident was finally reported by Tass on January 26, 1967.

As a seventh instance, I would refer to Soviet attempts to subvert British students.

The London Daily Telegraph revealed on January 30, 1967, evidence of Russian interference in British internal affairs. It reported that Mr. Geoffrey Martin, president of the British National Union of Students had protested Soviet subversion. The Telegraph quoted him as saying:

Two members of the Russian union, who spent 10 days in Britain in November as NUS guests, went to see the full-time student organizer of the British Communist Party, Fergus Nicholson, "after telling their hosts they were making an important visit to the Russian Embassy". It was later discovered that they discussed the future of the National Union of Students. At the meeting were two other British students "who are also involved with Mr. Nicholson and the Radical Student Alliance."

As an eighth instance, I refer to the

July 1966–February 1967 "vilification of America" campaign by cartoons in the Soviet press.

During the period July 1966–February 1967, the Soviet Communist Party newspaper Pravda and the official government newspaper Izvestia—as well as other newspapers—have fed their Russian readers a steady diet of cartoons vilifying the United States. Since all newspapers in the U.S.S.R. are state-controlled, this would hardly appear to be an accident.

One must ask: If the Soviet Union wants to gain U.S. confidence, is such a campaign of abuse the way to do so?

One must further ask: Are the Soviets so contemptuous of the U.S. Senate that they believe they can take such actions in their press and that the Senate will ignore such abuse while considering a solemn treaty obligation?

As a ninth instance, I refer to Soviet violation of the United States-Soviet cultural agreement of March 19, 1966.

In early January 1967, a new Soviet propaganda magazine entitled Sputnik began appearing on newsstands in the United States. The magazine is distributed by Eastern News Distributors, of 155 West 15th Street, New York City which is registered with the Department of Justice as an agency of a Moscow state publishing exporting monopoly, according to the New York Times—January 13, 1967. The Times stated that Jack Zucker, representative of the agency, said:

> We've had lots of requests from schools and colleges and intellectuals.

Under present arrangements, the U.S. Embassy in Moscow is allowed to distribute 2,000 copies of the Russian-language Amerika of the U.S. Information Agency. Another 60,000 copies are—at least in theory—put on newsstands. However, newsstands in the Soviet Union are a monopoly of the Soviet state. In accordance with this arrangement, the Soviet Embassy gives out 2,000 copies of the English-language propaganda monthly Soviet News and places the remaining 60,000 copies on sale at regular commercial newsstands throughout the United States where any U.S. citizen may freely purchase a copy. There is, of course, no police surveillance of U.S. newsstands.

If the Soviet Union is employing this method to get around the cultural agreement, what methods will it employ to get around the Consular Treaty?

Mr. President, the various instances to which I have referred, as cited by the Senator from Connecticut [Mr. DODD] in his speech on March 8, 1967, and the instances which I have cited here today, show clearly that the Soviet Union feels it can commit these violations and yet get the U.S. Senate to ratify a treaty of the nature being proposed here.

I would again remind the Senate that the goal of the Communist, based primarily in the Soviet Union, is to dominate and enslave the world. It cannot be overemphasized that the Soviet Union has within its grasp, the opportunity to bring peace to the world if it wants to do so.

We hear a lot about Red China. Of course, Red China is a dangerous and violent nation, too; but Red China is torn from within. There is a fight going on in that country now, apparently between the Chinese who adhere to the viewpoint of the Soviet Union on the one side and Mao's group on the other. They are fighting among themselves for ultimate control of China today. The Soviet Union, though, is responsible for the turmoil and war even there, in an attempt to reinstate their domination over Chinese policy.

The major threat to world peace today, I repeat, as bad as Red China is, is not Red China, and it is not the other countries behind the Iron Curtain who are being held as captive nations.

The major threat to the peace of the world today is the Soviet Union. Every move they make, every word they utter, is calculated for one purpose, and that is to take over the world and communize it.

Mr. President, I ask unanimous consent that a summary of the arguments which I have made against the Consular Convention be printed in the RECORD at this point.

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

1. No treaty necessary in order to establish foreign consulates on U.S. soil. (We have had Soviet consulates in the past without a treaty.)

2. Roosevelt-Litvinoff Agreement of 1933 provided similar "protections" to those sought in this treaty. (See Thurmond Remarks to Senate, February 9, 1967, CONGRESSIONAL RECORD, pp. 3227–3229.)

3. Soviets have consistently violated Roosevelt-Litvinoff Agreement of 1933.

Litvinoff agreed to offer consular protection to U.S. citizens even without negotiating a consular treaty.

U.S. State Department used the 1933 agreement as the basis for official protests against violations of U.S. rights.

Secretary of State Cordell Hull held that U.S. citizens had a right of access to U.S. officials even without written agreements by U.S.S.R.

4. Soviets have not honored the provisions of the 1964 Treaty during the 30 months since it was signed.

Secretary of State Dean Rusk has cited 20 cases since the signing where the standards of the treaty have not been met.

5. Soviets agreed to this treaty because it provides immunity against prosecution for consular personnel.

Soviets insisted upon this provision, because it allows only for the expulsion of consular personnel, and not for prosecution of criminal acts, including espionage. This is a dangerous precedent in law.

6. A precedent would be set facilitating the establishment of Soviet consulates in Latin American countries, nations which might well be less equipped to counter massive subversion.

7. If Soviet law is so capricious that U.S. consular employees need special immunity while in the U.S.S.R., then the time is not yet ripe to normalize travel and trade relations with the Soviets.

8. Protection sought in the Baltic States—Estonia, Latvia, and Lithuania—by an arrested U.S. citizen would amount to de facto recognition of the forcible inclusion of these nations into the Soviet empire.

The U.S. has never recognized these states as part of the U.S.S.R.

9. Under a "sleeper" clause in the treaty, all Soviet diplomatic personnel (908) now in the U.S., including those without diplomatic immunity, could be given the heightened immunities of consular status without the knowledge or consent of U.S. officials.

The PRESIDING OFFICER. The Senator's 15 minutes have expired.

Mr. MANSFIELD. Mr. President, I yield 10 minutes to the Senator from Iowa [Mr. HICKENLOOPER].

Mr. HICKENLOOPER. Mr. President, my less than enthusiastic support of the pending Consular Convention between the United States and the Soviet Union is indicated by the fact that when it was reported to the Senate in August 1965, I was one of the members of the Committee on Foreign Relations who signed the minority report. I did so because I felt that it was not receiving adequate public attention and there had not been opportunity for full considera- of the implications of the convention.

After careful consideration I have now decided, somewhat reluctantly, to vote for its ratification. I do so, in brief, because I believe it may contribute in some small way to a lessening of tensions between the United States and the Soviet Union.

The treaty itself does not authorize the establishment of consulates in each of the two countries. The President has that power without action by the Congress. In fact, some Soviet Consulates were established in the United States after President Franklin Roosevelt recognized them in 1933. These were later closed. The President might, therefore, regardless of what the Senate does, on his own initiative permit the Soviet Union to open consulates within the United States.

Some of my concern about the convention relates to the provision of article 19, which for the first time will give consular officials and employees immunity from criminal felony prosecution. But we already have between 400 and 500 Russians with such immunity here and the addition of 10 or 15 more will not substantially increase the burden.

I take with a grain of salt the argument that American consular officials going to the Soviet Union need to be immune from criminal jurisdiction in that country, but it is of some comfort that trumped up charges cannot be enforced. As a practical matter, we have worked out a reciprocal device whereby officials of either country accused of criminal acts are declared persona non grata. And, on a reciprocal basis, we reject a Soviet diplomat every time they take a similar action with respect to one of our officers in the Soviet Union.

Therefore, I do not place a great deal of emphasis upon the importance of article 19. And, furthermore, we have been assured that Mr. Hoover can cope with any problems this article may present to the security of the United States, and I have no doubt he can.

I do attach some importance to the provisions of article 12, which may provide some protection to Americans visiting in the Soviet Union. It obliges the receiving state to notify consular officers of a sending state of the arrest or detention of a national within 1 to 3 days from the date of arrest. Furthermore, an American citizen arrested in the

Soviet Union will be able to claim a treaty right to be visited by a consular officer of the United States. This may prove of value to some Americans visiting in the Soviet Union, including not only students, scientists, American businessmen, but also to a number of casual tourists. Almost certainly some of these visitors to the Soviet Union will, at some time in the future, find themselves in conflict with some Soviet law and we will know very quickly whether the Soviet Union will honor these commitments to notify our authorities of arrests and grant access to people who have been detained.

Finally, Mr. President, article 30 provides that the convention may be terminated upon 6 months' notice.

This is a most important provision, because if we do not like the way they are performing, or if we feel they are not carrying out their part of the bargain, we can cancel the convention in 6 months' time. So that is a vital part of the agreement. It is not a long, indefinite term that is involved.

I hope, of course, that the convention will remain in force and prove a significant step toward some lessening of tensions between our countries. Nevertheless, should this not prove to be the case, or should the Soviet Union not fully live up to the terms of the convention, the United States can be relieved of its reciprocal obligations with only 6 months' notice.

In conclusion, Mr. President, when I seek to balance the advantages to the United States of this treaty—which are not very great—with the disadvantages which would flow from its rejection at this time, I conclude that the treaty should be approved. But we should keep our fingers crossed. A treaty such as this is only as good as the integrity of the parties. I view this as a small test of the integrity of the Soviet Union—at least the future integrity of the Soviet Union—and I use the word "future" integrity because certainly the record of the Soviet Union in keeping its word is not something to brag about. It has gone back on almost every agreement it has made with any Western power. I think this convention may be the first test to see whether the Soviet Union is willing to operate, to some degree, in keeping with what we believe to be honorable conduct among nations in the keeping of their word.

Again, I refer back to the important provision that this treaty can be canceled in 6 months' time if it becomes necessary.

So I do not think we are risking a great deal, and it is entirely possible—perhaps not probable; I do not know whether, based on the Soviet Union's past history, it is probable, but it is possible—that this treaty will become the basis for better relations between our nations. I think as education increases, as the world gets smaller, as science and technology expand, it is entirely possible that such steps as this may make it possible for amiable, friendly associations not only between our Nation and the Soviet Union but between all the other nations of the world that are presently in conflict on ideology and policy.

For those reasons, I have concluded that, on balance, at the moment, that there is more hope for the future in the adoption of the treaty with the safeguard provisions than without it. Therefore, I shall vote for ratification of the treaty.

I thank the majority leader for yielding to me.

The PRESIDING OFFICER. Who yields time?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Against whose time is the quorum call to be counted?

Mr. MANSFIELD. The other side.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MUNDT. Mr. President, I yield myself 25 minutes.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 25 minutes.

Mr. MUNDT. Mr. President, as I conclude the debate on the part of the opposition to the ratification of the U.S.S.R. consular treaty on which we will be voting in about 70 minutes, let me say first of all that the treaty upon which we are to vote today is far more than a simple diplomatic expression of undertakings between two sovereign States.

It is, in fact, far more significant and far reaching than the usual undertaking between two countries in the ordinary exchange of diplomatic papers or agreements, and certainly more important than an exchange between a Communist and a non-Communist country which might be considered in time of peace.

The stern, hard fact is that we are now about to decide whether as Senators we should approve this Consular Treaty not only in time of war but also at a time when the very country with whom we are making the treaty is sending an expanding amount of petroleum and all of the modern weapons required by our enemy in prolonging the war in Vietnam and escalating our American casualties.

To that should be added the fact that this Consular Treaty, as do all consular treaties, has a direct connection with the basic American foreign policy question now before this country which, after 5 hard years of war, must certainly be incorporated in the following question: "Is it wise, Mr. President, and is it proper for our Government in this country to take steps to expand even further our own export of materiel, supplies, machines, and equipment to strengthen and relieve the pressures on the industrial complex of Russia so that she can free more of her productive economy for the making of additional weapons of war to be supplied in even greater numbers to the North Vietnamese while we seek futilely to bring about a successful end to the fighting?

That is the question with which we wrestle in this debate, and I predict that that is the question which is going to be resoundingly heard in this Chamber time after time during the remainder of the session unless, in fact, this administration changes its program and policy for exporting additional American materials, equipment, and supplies to Russia in this time of war.

On pages 6262 through 6266 of the CONGRESSIONAL RECORD of March 10, I have had printed the detailed list of the supplies which American exporters are now permitted to send free from restriction and free from license to the Russian Government any time and in any amount that it desires to buy them.

I think Senators and constituents alike will want to review that astonishing and disillusioning list in the weeks ahead.

In brief, Mr. President, can a kiss and kill relationship with Russia produce the peace which we all implore? Can it, in fact, be divorced from the growing casualty list in southeast Asia?

Incidentally, a reporter just asked me what I had in mind in labeling our effort to expand American trade with Russia in this time of war as a kiss and kill formula. I suspect it is a fair question.

Let me say, therefore, that I think those words are indeed descriptive of our actions because, for example, we are asked by ratification of this treaty to kiss the hand of Russia diplomatically, and by endorsing the administration program for stepping up our wartime exports to Russia we are asked to kiss the Russian ruble economically through making available to her in unrestricted amounts exports of more than 400 items, and therefore contributing to her capacity to supply weapons with which to kill our troops in Vietnam.

If that is not in fact a kiss and kill formula for dealing with the challenges of our times, I submit that it will have to stand as a descriptive term until somebody evolves a better one.

At the very first public hearing on this Consular Treaty addressed by Secretary of State Rusk, on January 23, I gave my initial reaction to it to the Secretary when it came my turn around the table to ask questions.

That reaction is reported beginning on page 41 of the printed hearings now on your desks. It summarized then, as it summarizes now, my main concern about the dangers involved in the ratification of this treaty in this time of war.

What I said on that occasion was said after reviewing the step-by-step procedures in which, through the cold war and now the hot one, the U.S.S.R. had failed to evidence good intentions of amity and was evidencing instead a capacity and a routine, to supply our enemies so that they can continue the war in Vietnam.

I said:

Senator MUNDT. Mr. Secretary, I wish that I could, knowing you, share your feeling

we were discussing this treaty in an atmosphere of sweetness and light so far as Russia is concerned, but I think realistically we should consider this treaty in terms of the framework of world affairs as they exist today.

If all we had was the cold war going on with the USSR I think that would be one set of circumstances.

But what we have actually is a war going on today in Vietnam in which the Russians are supplying virtually all, if not all, of the sophisticated weapons which are killing American boys every day of the year. Just about the time that the agitation developed again for the approval of this treaty we read in the newspapers that the USSR has supplied another hundred new Migs to be used against our boys out of Hanoi.

So I think we have to recognize this framework. The last two times you appeared before this committee sitting where you are now in this room, as I recall, was, one, to make a very eloquent and persuasive appeal for why the American policy was correct in not recognizing Red China now or admitting her to the U.N. now. The other was to make an equally persuasive appeal as to why it would be injurious to the free world and to America if we would lose the war to communism in Vietnam.

With those facts staring us in the face, it would seem to me that the presentation of this treaty now is at best a masterpiece of bad timing, because I don't believe that conditions have changed sufficiently so we can go back and allude to this as just a treaty with a country with which we are establishing a detente, without any tangible evidence as to what is invloved in that detente.

Mr. President, I submit that, 60 minutes before the hour that the Senate will be called upon to vote on this ratification, there have been no outlines, there have been no definitions, and there have been no details of what this detente is supposed to comprise.

Mr. President, I ask unanimous consent that there be printed at this point in the RECORD my individual views on this consular treaty as contained in the report of the Foreign Relations Committee published on March 3.

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

INDIVIDUAL VIEWS OF MR. MUNDT

The undersigned does not agree with the recommendation of the majority of the Committee on Foreign Relations that the Senate should give its advice and consent to ratification of the proposed consular convention with the Soviet Union.

My reasons are as follows:

(1) I do not believe that this is a propitious time to ratify such an agreement with the Soviet Union or that the treaty can be considered as an isolated agreement unrelated to other measures concerning East-West relations and the war in Vietnam.

(2) I do not believe that the proposed convention would be respected any more than previous treaties and agreements have been respected by the Soviets.

(3) I believe that the convention would be to the disadvantage of the United States, principally because it would greatly increase the danger of subversion.

(4) I do not believe that the benefits the proposed convention provides are of sufficient importance to outweigh the disadvantages to the United States.

Each of these four reasons is explored at greater length below.

1. *This is not a propitious time to ratify the convention and the convention must be considered along with other East-West measures.*—I do not believe that the consular convention with the Soviet Union can be considered in isolation, for it is linked to other measures in the field of East-West relations. A New York Times editorial on January 23, 1967, put the case succinctly, saying:

"Ratification means more than normalizing Soviet-American diplomatic relations and providing badly needed additional protection to American citizens traveling in the Soviet Union * * *. If the consular pact cannot be ratified, then the East-West trade bill is probably dead and the space treaty may have been stillborn. The entire direction of American foreign policy toward the Soviet Union at an extraordinarily critical moment in world history is at stake."

In fact, President Johnson himself has linked the Consular Convention to the East-West trade bill in his state of the Union message, in which he said:

"So tonight I now ask and urge this Congress to help our foreign and our commercial trade policies by passing an East-West trade bill and by approving our Consular Convention with the Soviet Union."

Is the Consular Convention the point of an opening wedge designed to lead to approval of the East-West trade bill? It would appear to be. If so, these measures relating to our relations with the Communist world should not be considered hastily and individually. They should be recognized as a package, a package which contains the component parts for building bridges to the Soviet Union and other Communist countries. We should examine this package carefully and thoroughly. We can only do so before it is delivered.

Not only can the Consular Convention not be considered in isolation, it can also not be considered in a political vacuum. We must set the proposed convention in the context of this particular point in history. It would be one thing if we were considering the proposed convention during a time of peace in the world or of only a cold war. It is quite another matter to consider such an agreement during a hot war. We have in the area of 500,000 men fighting in South Vietnam today. The weapons that are killing these men on land and in the air, and substantially over 7,000 have died in the war since 1961, are largely Soviet weapons. The Soviets are declared allies of the North Vietnamese. They are, therefore, accomplices in the deaths of many thousands of Americans, and have been largely responsible for the more than 50,000 American casualties thus far inflicted upon us by the enemy.

Consequently, I do not believe that this is the time to give the appearance of being in some sort of peaceful partnership with the Soviet Union. The Soviets are certainly not making any concessions to better relations with the United States either in Vietnam or elsewhere. Concluding important agreements with the Soviet Union at this juncture will be interpreted not only by our enemies but even by our allies, in the words of one of the witnesses who appeared during the hearings on the convention, as "a sign of weakness, if not confusion." And surely ratification of the convention will appreciably affect the morale of American soldiers in South Vietnam where the talk of peaceful coexistence or detente is drowned out by the sounds and dangers of war.

2. *There is no reason to believe that the Soviets would respect the convention.*—The record of Soviet behavior shows clearly that the Soviet Government has not respected the sanctity of international agreements or treaties ever since it came to power. A revised issue of a staff study for the Internal Security Subcommittee of the Senate Committee on the Judiciary, issued in 1964 and entitled "Soviet Political Agreements and Results," devoted 103 pages to cataloging the violations from 1917 through 1963. The foreword to the study stated:

"The staff found that in the 38 short years since the Soviet Union came into existence, its Government had broken its word to virtually every country to which it ever gave a signed promise. It signed treaties of nonaggression with neighboring states and then absorbed those states. It signed promises to refrain from revolutionary activity inside the countries with which it sought 'friendship,' and then cynically broke those promises. It was violating the first agreement it ever signed with the United States at the very moment the Soviet envoy, Litvinov, was putting his signature to that agreement, and it is still violating the same agreement in 1955. It broke the promises it made to the Western nations during previous meetings 'at the summit' in Teheran and Yalta. It broke lend-lease agreements offered to it by the United States in order to keep Stalin from surrendering to the Nazis. It violated the charter of the United Nations."

The Soviets have not lived up to past agreements even on the matters with which the proposed convention deals. When the United States recognized the Soviet Government in 1933, there was an exchange of letters between President Franklin D. Roosevelt and Foreign Minister Maksim Litvinov.

Litvinov stated, in a letter dated November 16, 1933, that the rights of legal protection (including notification and access rights) then enjoyed by German nationals, the nationals who were most favored in this respect at that time, "will be granted to American nationals immediately upon the establishment of relations between our two countries." It is a debatable point whether this undertaking on the part of the Soviet Government is still legally valid; I believe that there are legal arguments on both sides. But whether the agreement is still in effect or not, it was certainly at one point a legally binding promise made by the Soviet Government, a promise on which we relied on several occasions. Yet it was a promise that the Soviet Government ignored whenever it suited Soviet purposes. I do not believe that there is any reason to think that the Soviets would scrupulously observe their obligations under the proposed consular convention, given their unscrupulous violations of previous agreements.

The Soviets have had ample time to demonstrate that they do intend to change their behavior regarding the matters with which this convention deals. They have not done so. Secretary Rusk himself told the committee that in the 30 months since the consular convention was signed by the Soviets and the United States in Moscow, 20 Americans have been detained by Soviet police and, in the Secretary's own words, "in none of these cases did the Soviet authorities adhere to the standards of notification and access provided for by this convention."

3. *The immunity provisions of the convention provide serious disadvantages to the United States.*—Article 19 of the proposed convention contains immunity provisions that have never before been included by the United States in any consular agreement: they grant to consular officers and employees of the sending state unrestricted immunity from criminal prosecution in the receiving state. Heretofore, we have restricted such immunity to misdemeanors. We have not granted such unrestricted immunity to the consular officers or employees of any of our traditional and proven allies. We have not agreed to such unrestricted immunity in the multilateral Vienna consular convention (which we have not yet ratified). Yet we extend this immunity for the first time in an agreement with a country with which we have had more difficulties than any other, a country whose attitude toward us is one of implacable hostility, a country which has used its officials abroad for espionage purposes to a greater degree than any other and a country which is supplying the arms to kill

and maim Americans fighting to preserve freedom in the face of aggression.

The immunity provisions of the proposed convention mean that a Soviet consular officer or employee cannot be prosecuted for any crime, including murder, sabotage, and espionage. I do not believe that anyone would deny that the Soviets have used their embassies, consulates, and official missions abroad for espionage purposes. In this country alone, since January 1, 1957, a period of only 10 years, 28 Soviet officials have been arrested or expelled, according to J. Edgar Hoover, Director of the Federal Bureau of Investigation.

Testifying before a subcommittee of the Committee on Appropriations of the House of Representatives on March 4, 1965, Mr. Hoover said:

"Historically the Soviet intelligence services have appropriated the great bulk of official positions abroad, primarily using their official representatives and diplomatic establishments in other countries as bases from which to carry on their espionage operations * * *. Long seeking greater official representation in the United States which would be more widely spread over the country, a cherished goal of the Soviet intelligence services was realized when the United States signed an agreement with the Soviet Union on June 1, 1964, providing for the reciprocal establishment of consulates in our respective countries."

On January 21, 1967, I wrote Mr. Hoover and asked him whether he had "in any way" changed his views or changed his mind about this testimony. He replied, in a letter dated January 23, 1967:

"You specifically inquired whether I had changed my views or whether any evidence has developed to make me change my mind about my testimony of March 4, 1965. The answer is an unequivocal no."

In the same letter Mr. Hoover said:

"I can also state without equivocation that Communist bloc diplomatic establishments in this country serve as vital points for intelligence operations."

Mr. Hoover continued, making the point that the problem of subversion on the part of Soviet diplomats is a problem of the present—the imediate present—as well as the past:

"You inquired whether, since March 5, 1965, there has been a cessation of attempts by Communist diplomatic personnel in this country to engage in acts of subversion or attempted espionage. The answer again is an unequivocal 'No.' "

Those who need proof to support Mr. Hoover's statement need only read the testimony of Mr. John Huminik before the committee, recounting the activities of six Soviet diplomats during the past 5 years.

Susequently, Mr. Hoover has been quoted as saying that the additional number of Soviet agents who would come to this country if a Soviet consulate were established "would raise no problems which the FBI cannot effectively and efficiently deal with." Nevertheless, the fact remains that there is a difference between saying that a serious problem can be dealt with and arguing that a serious problem would not arise. Additional Soviet agents and increased Soviet intelligence activity would certainly follow from the establishment of a Soviet consulate in the United States. I do not think that this assertion can be challenged. It certainly has not been to date.

There are additional dangers in the provision in the consular convention extending unrestricted immunity from criminal prosecution to consular officers and employees. One complication is a result of the fact that we have consular agreements with other countries which contain a most-favored-nation clause under which the country concerned can request the same treatment for its consular officers, and in some cases its employees as well, as the treatment which we extend to the nation most favored in this respect. Entry into force of the Consular Convention with the Soviet Union would mean that the consular officers and employees of the Soviet Union would become the most favored in this respect.

What would be the practical effect? We have agreements containing a most-favored-nation clause with 35 countries including three Communist countries (Cuba, Rumania, and Yugoslavia). Twenty-seven of these 35 countries have consular establishments in the United States (these 27 include only one Communist country—Yugoslavia). In the consular establishments of these 27 countries there are presently 577 consular personnel who would be entitled to immunity under a most-favored-nation clause. The Department of State has asked our embassies in these 27 countries to estimate how many of these countries will request most-favored-nation privileges regarding unrestricted immunity from criminal jurisdiction. The Department has stated that on the basis of replies received from our embassies only 11 of these 27 countries (Yugoslavia is not among the 11) would take advantage of the most-favored-nation clause and, thus, that only 290 consular officers and employees would be presently affected.

Making an additional 290 foreign officials immune from criminal prosecution for violations of the law, including the laws against espionage, is bad enough. But it seems clear that 290 is only a starting point. The figure of 290 represents only a guess by the Department of State. We could well find that the Department's guess was inaccurate and that many more of the 27 countries with consular establishments in the United States desire to take advantage of the immunity provisions. Furthermore, the figure of 290 is based on the number of consular officers and employees now in the United States. But the number of consulates is bound to increase in time and the size of consulates is bound to grow. That has been a fact of life and will undoubtedly continue to be so.

Thus, 290 is a minimum figure. The maximum number of persons who might be affected over the course of just the next decade cannot be estimated. Nor can the number of consular officials from other Communist countries who would have such immunity be estimated. Initially, we are told, only the Soviets will have such immunity. But the Department's guess as to the intention of the Yugoslav Government may be wrong or the Yugoslavs may change their minds and ask for unrestricted immunity for their consular personnel in New York, Chicago, Pittsburgh, and San Francisco. Poland, with a consulate in Chicago, could insist on similar immunity provisions in any consular convention which might be negotiated in the future. Rumania, which has the right to ask for such immunity because there is a most-favored-nation clause in its consular agreement with the United States, has no consulates here now. But it well may have consulates in the future, as it has in the past, and the personnel of that consulate would be able to ask for such immunity.

In brief, in this Consular Convention we are not only granting a new immunity to Soviet consular officers and employees. We are, in effect, granting this immunity to hundreds of other consular officers and employees and leaving the way open for still hundreds of others, including those from other Communist countries, to have the protection of such immunity in the future.

One other factor should be noted. If the proposed convention is ratified its immunity provisions will undoubtedly serve as a model not only for the United States in future consular conventions but also as a model for other countries in their consular conventions. Surely other countries negotiating a consular agreement with the Soviet Union, or with any other country, will feel that if the United States can grant such immunity and grant it to the Soviet Union, so can they. This will undoubtedly be true especially of the developing countries. The result will be a spread of Soviet subversion throughout the developing world, including the Western Hemisphere. As I observed during the hearings on the convention: "I wonder if we are not about to open a door which we will not be able to close."

Indeed, the Soviets are already active in this hemisphere, using Cuba as a base. At the Tri-Continental Conference held in Havana in January 1966, the head of the Soviet delegation, Sharaf R. Rashidov, said:

"The Soviet delegation came to this Conference to promote in every conceivable way the unity of anti-imperialist forces of the three continents so as to unfold on a still greater scale our common struggle against imperialism, colonialism, and neocolonialism headed by the U.S. capitalists."

The final declaration of the Conference read, in part:

"The Conference hereby proclaims that the primary task of the peoples of Asia, Africa, and Latin America is to intensify the struggle against imperialism colonialism, neocolonialism, and to win and consolidate national independence especially against the exploitation practiced by the Yankees. The merging of efforts will turn active solidarity on our continent into a new historical force of colossal dimensions.

The modest benefits which the United States would obtain as a result of this convention are discussed below. The principal benefit is found in the notification and access provisions in article 12 and the protocol to the convention which involve an obligation on the part of the Soviets to notify an American consular official within 1 to 3 days when an American national is arrested and to grant a consular officer access to that arrested citizen within 2 to 4 days. These notification and access provisions were the benefits we obtained which, it is claimed, balance the concession we made in granting unrestricted immunity. But in the case of countries which have consular agreements with us containing a most-favored-nation clause we could be put in the position of making a concession without obtaining such a benefit in return. Under the most-favored-nation clause any of these countries can request that unrestricted immunity from criminal prosecution be extended to its consular personnel. The most-favored-nation clause does not go to the question of notification and access, however, and from a legal point of view there is nothing in these consular agreements that gives us ground for demanding such a concession in return.

4. *The benefits obtained do not outweigh the disadvantages.*—The principal claimed benefits for the convention are, as has been stated above, the notification and access provisions. It should be made clear, however, that notification and access are not equivalent to freedom. They do not even offer due process. They mean, purely and simply, that we will be notified when a citizen is arrested and that an American consular officer will be able to visit the arrested person in prison. There is no guarantee that the arrested person will be given a fair trial. There is no guarantee that he will be treated well during his imprisonment. There is no guarantee that he will be given the right to counsel.

Secretary Rusk, testifying before the committee on January 23, said:

"The rights of international due process which this convention would provide would be available without delay and without the need for continuous and insistent high-level diplomacy * * *. That goal—the maximum possible protection and assistance for American citizens on a regular and written basis—is our central purpose in this convention * * *."

I submit that the convention does *not* provide "rights of international due process" and does *not* obtain for American citizens maximum protection and assistance. On the contrary, the protection and assistance for which it provides are minimal at best.

It has been argued by some that the immunity provision is an advantage to the United States because while it is admitted that the Soviet officials who would come to this country as officers and employees of any consulate might well be espionage agents, we in return could send intelligence officers to any consulate we were to establish in the Soviet Union. I believe, however, that in any exchange of intelligence officers, there would be a net disadvantage to the United States. A Soviet intelligence officer, operating in an open society with easier access to individuals and to information, would undoubtedly find his stay in the United States most productive. An American intelligence officer, operating in a closed society with very limited access to individuals and information, would surely not be obtaining a reciprocal benefit.

In sum, I believe that the modest benefits provided by the treaty are far outweighted by the disadvantages. These disadvantages include improving the Soviet capacity to spread propaganda and to conduct subversion, and jeopardizing our refusal to recognize the forcible incorporation into the Soviet Union of Latvia, Lithuania, and Estonia. I believe, furthermore, that the treaty would enhance Soviet prestige at a time when we are engaged in a war in which the Soviet Union is participating, although by proxy. The treaty would thus be regarded throughout the world—by our allies and our enemies and by our men fighting Communist aggression in Vietnam—as inconsistent, irrational and foolish at best, and as dangerous at worst.

Ratifying the consular convention is not the way to improve relations between the United States and the Soviet Union or to reduce tensions in the world today. The first step toward that end is a fundamental change in Soviet aims. These aims, constantly reiterated, were summed up by former Soviet Premier Khrushchev a few years ago in the never-to-be-forgotten words, words that the Soviets have never retracted: "We will bury you." Khrushchev's prophecy is being fulfilled daily in Vietnam, as the stream of coffins crossing the Pacific attests. This time of trouble for our country, a trouble to which the Soviet Union has contributed in large part, is no time to confuse the realities of today with the hopes—the still unfortunately unrealized hopes—of tomorrow.

KARL E. MUNDT.

Mr. MUNDT. Mr. President, it is my conviction that we are now being asked today to ratify the wrong treaty on the wrong subject at the wrong time and with the wrong approach to the basic problem of how best to end the fighting in Vietnam and how to bring about a better understanding and greater amity between the Communist and non-Communist areas of this globe.

The advocates of this treaty summarize their primary objectives in just five words: "We want to protect Americans."

Surely, Mr. President, nobody can quarrel with a noble objective of this kind. We all want to protect Americans wherever they are and for whatever reason they are there. But when we are called upon to protect one segment of America—the fortunate 18,000 who are able to travel for pleasure or profit in Soviet Russia and of whom some nine annually get in trouble with the law—it seems completely clear to me that we must not take action which, by giving greater protection to these Americans, places in greater jeopardy 500,000 far less fortunate young Americans who are now on the firing lines and the battlefields fighting for our freedoms in far-off Vietnam.

Related as it is to expanded trade with Russia and containing as it does psychological impacts, unprecedented concessions of immunity to a great Communist power, and no effective quid pro quo guarantees in terms of making peace either more prompt or more probable, I cannot believe that this treaty at this time, in its present form, is either in our national or our international interests. Otherwise, I can assure Senators that I would not have undertaken the long—and at first the very lonesome—task, and always the exceedingly difficult uphill battle, or trying to bring before the Senate and the country the basic issues and the farflung ramifications which are involved before we actually voted on ratification. It has not been an easy responsibility but starting as we did with only four negative votes in our committee, I for one am greatly encouraged by the number of Senators who have now assured us of their determined opposition to the treaty.

In fact, compared with what might and should have been written into this treaty under today's wartime circumstances, I believe this is indeed another shameful example of how anonymous architects of America's destiny working abroad in treaty conferences, which conceal from the public both the discussions and the minutes of the meetings leading up to the final agreements, all too frequently tend to fritter away America's great opportunities for world leadership through surrendering our international strength by diplomatic obsequities.

This brings to mind, nostalgically, other sad and irrevocable mistakes made at other international conferences which all of us can still remember, bearing names like the conference at Cairo, the Yalta Conference, and the ill-fated conference at Potsdam.

I believe that this treaty with Russia in this time of war, linked as it is with both the desire and the program to ship increasingly our American exports to the Russian industrial complex—which, on the record and substantiated by the testimony of every knowledgeable witness before our congressional committee, is today supporting not only all of the petroleum required by Hanoi to continue the fighting over there but also every sophisticated weapon and many less sophisticated weapons needed by the North Vietnamese to continue our fighting, to expand our casualty list, and to prolong the war—is a treaty which historians will describe, if we cannot recognize that fact today, as a treaty which is morally wrong, psychologically bad, militarily dangerous, and a setback in bringing about successfully the early ending of the war we all so devoutly desire to conclude.

The pros and cons of this Consular Treaty have been discussed in the homes and offices of America, up and down the corridors of Congress, in speech after speech recorded in the CONGRESSIONAL RECORD, on the air waves, through the press; and in one way or another there have been placed before the Senate and our constituents, since the Secretary's first appearance before our committee on January 23, the issues, the involvements, the repercussions, and the farflung ramifications of the vote which we are about to undertake.

It is not my purpose and it would be of no avail today to repeat the many reasons why, in the view of some of us in the Senate at least, and in the view of millions of Americans not privileged to express their convictions in the impending Senate vote, this treaty is inadvisable and counterproductive at this particular juncture of our wartime history.

It has been pointed out by me and many others that the advantages claimed for the treaty are far less than those stipulated by the language of the treaty itself. Stripped to its bare essentials, this treaty proposes to protect American travelers in Russia by giving them the right to notify those most concerned when they are in trouble and the right to consult with our consulate officers when they are placed in jail. Only that and nothing more.

The treaty does not even add in any way the right of an American tourist, finding himself in a Russian jail, to have a fair and free trial, to make public statements concerning his problem, to have representation by an attorney of his choice, and to have his trouble resolved by the due processes of legitimate law. None of that is included in the treaty and none of that has been promised by the Russian Government.

Notification and consultation is the sole benefit contained in the treaty protecting traveling Americans in Russia. And for that we provide, for the first time in American history, complete immunity to all Russian consulate employees in any and in every consulate they establish in the United States subsequent to our action. Once having extended this unprecedented action to Russia, we must, of course, extend the same immunity to all consulate offices of other countries or bear the stigma of providing for the Communists of Russia special and exclusive concessions denied to other countries with which we maintain diplomatic relationships.

To me, were there no other arguments against the treaty, except for the impact of this unusual diplomatic concession to the Russians upon our friendly neighbors of Latin America, that would be sufficient for the Senate to vote against ratification of the treaty at this time. I call to mind that only 4 of the 20 non-Communist Latin American countries now even extend diplomatic recognition to Communist Russia.

However, should we ratify and announce this unusual agreement before the world by providing a complete immunity to Russian consular offices and employees, the pressure would certainly be great upon all Latin American governments for them at least to give diplomatic recognition to Russia and for them

next to provide similar consular treaties with similar diplomatic immunities as those provided between the United States of America and the U.S.S.R.

Secretary of State Rusk, himself, has said that he believes it to be probable that consular employees sent to the United States will be selected from the KGB secret police personnel of the U.S.S.R. Director of the FBI, J. Edgar Hoover, has told Congress and the country that the FBI can cope with this additional espionage by increasing the number of agents to meet the challenge. I, too, believe that to be a fact.

However, I think it far less likely that the Latin American governments have the experienced and the security personnel to cope with the vast numbers of Communist agents officially entering their countries should they follow our example in this treaty, as I believe they understandably and necessarily might.

Only this week President Johnson has asked us to support a new program of $1,500 million to help stabilize and strengthen our Latin American neighbors.

It is inconceivable to me that we should take action which it appears to me, would sabotage in advance the stabilizing measures and the money involved in his new requests for Latin America.

Mr. President, we Americans can ill-afford to have any new Castro-like Cuban governments in other Latin American countries in this time of test and trial.

Likewise, I also am greatly concerned about the psychological impact of this treaty upon our allies who have joined us in the war effort in Vietnam. I am sure that our allies, as have many Americans, have read the President's state of the Union address linking together expanded commercial trade with Russia in this time of war with the ratification of this Consular Treaty as a twin objective.

I am sure that they have read the editorials in the New York Times which make the same connection and one of which I inserted in the CONGRESSIONAL RECORD only yesterday.

I am sure many share my curiosity and skepticism also about the effect on the morale of our fighting men in Vietnam and their parents of President Johnson's Executive order of last October 12 in which he opened up the unrestricted exportation to Russia of 400 American products and supplies, a great many of which will have an immediate benefit to the Russians in strengthening their war munitions output by relieving many pressures on their faltering domestic economy. That, consequently must make it easier for the Russian industrial complex to grind out additional weapons such as they are sending in increasing numbers to aid our enemy in Vietnam. I am sure these foreign friends of ours also read the language of the Consular Treaty itself which specifically enumerates as one of the factors of this treaty the building of additional economic ties and trade between the U.S.S.R. and the United States of America.

In this cruel time of war, Mr. President, I think all these factors will have a most unfortunate psychological impact upon both our friends and our foes in other countries.

Mr. President, I fear that the step that the Senate is about to take if it votes for ratification of this treaty will come back to plague us some day much as the Tonkin Gulf resolution has come back to plague some of my colleagues in this Chamber. Our failure to protest now, this great economic wartime aid to Russia will be construed by many and I predict will be described by some in high places as Senate concurrence or approval of this policy of providing wartime economic aid to Russia at this time.

Some Senators have already complained publicly on this floor about the various interpretations being made in high places about the impact and intent of the Tonkin Gulf resolution passed by the Senate almost unanimously at the time of the Tonkin Gulf incident. Having been forewarned by this fact of political life they cannot now be surprised by the type of interpretations which I envision would follow sooner or later the ratification action of today should we ratify this treaty today and should it come to be considered as an "economic Tonkin Gulf resolution."

Incidentally, Mr. President, I suggest that some reporter, or commentator, or editor of our times make an analysis of the groupings in the Senate of those who vote for and those who vote against this treaty since certainly some historian of the future will make such a study. I believe the impending vote and the debate of the past week will show that those opposing ratification of this treaty now have provided the greatest unity of support of President Johnson in his war effort and that among those who support this ratification, you will find the great preponderance of Senators who have been in the frontline of the President's sharpest and most persistent critics in his handling of the war in Vietnam.

I think that in the Senate, and in the country generally, there will be found supporting ratification of the treaty most of those who feel that we are in an impossible and unjustifiable war over there and so we should quit and come home; or we should run and hide and spend our lives in some bloody, endless enclave, or that we should stay in South Vietnam and be shot at while the enemy is freed from attack by bombing or air raids on his staging areas of the North.

Perhaps the President himself will study the ensuing rollcall as he looks ahead to the wisdom of pressing for additional expansion of our wartime trade with Russia. This is at least an eventuality for which I devoutly hope.

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

Mr. MUNDT. Mr. President, I ask unanimous consent that I may proceed for 5 additional minutes.

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

Mr. MUNDT. Let me say finally, Mr. President, that enough Senators on one issue or another on the votes this week have expressed their disenchantment and uncertainty about the timing and the purport of this treaty by the manner in which they have voted on one or another of the several reservations which have already been before us, so that standing together, those Senators who on one vote or another conveyed their desire to advise before consenting to this treaty can, through sticking to their guns and voting "No" on ratification, today defeat or delay this ratification.

I hope that those who, by their votes, have earlier displayed their desire to exercise their constitutional right to advise in treatymaking, and who are not content merely to consent will not now retreat or recant or renounce their earlier convictions and thereby on the impending vote now express approval of a treaty which they earlier found undesirable in one aspect or another.

I believe there are five questions we should ask ourselves before we vote on this treaty:

First. Can and will its ratification shorten the war?

Second. Can and will it help attain success in our costly military effort?

Third. Can and will ratification of this treaty reduce our fast growing list of casualties in Vietnam?

Fourth. Can and will it improve the morale of our fighting men in Vietnam?

Fifth. Can and will this treaty ratification develop a greater and, in my opinion, a much needed unity of purpose at home among our fellow citizens in support of our war efforts overseas?

Mr. President, I hope and pray that we can save President Johnson from the awful but I am sure unintentional error in which he is involved in pressing so hard for ratification of this treaty in this agonizing hour of war.

Otherwise, I sincerely believe that what we do here today, if by our votes we ratify this treaty, will help to prolong the war, to discourage our allies, to bring evil consequences and suspicion to our friends, and to increase even faster the growing list of military casualties in Vietnam.

Mr. President, ordinarily, a Senator engaging in debate devoutly hopes that he is right. Let me say, as I conclude, that I devoutly hope that I am wrong in my analysis of the question and in my prediction of the results flowing from a ratification of this treaty in this time of war.

For me, however, every rule of reason and of logic which I can bring to bear and exercise brings me to the clear conviction that I believe, unfortunately, that I am right.

Therefore, Mr. President, this treaty will not be approved at this time by the vote and consent of this Senator. I hope that it will not be approved by the consent and the vote of this Senate when it answers the rollcall on this fateful action.

Mr. President, I reserve the remainder of my time.

Mr. KENNEDY of New York. Mr. President, I rise in support of ratification of the Consular Convention. I believe it is an important step in lessening tensions between the United States and the Soviet Union.

Ratification of the convention will bring to a successful close an effort to

improve Soviet-American relations which has been the subject of discussion and negotiation since the late years of the Eisenhower administration. It is on the verge of ratification because of the strong initiative taken by President Johnson in seeking final approval this year. I know we all applaud President Johnson's action in making ratification a matter of the highest priority.

The tangible benefits of the treaty to the United States are significant. Nearly 20,000 American citizens now travel in the U.S.S.R. each year. The convention provides important new procedures for their protection. It insures that American officials will be notified should one of these travelers be arrested, and it insures that our representatives will have access to the person detained.

As a result, any new American consulates which are opened after further negotiations will be able to serve and protect American travelers far better than is possible at present.

The intangible benefits of the convention are even more important. The monolithic communism which we confronted with the foreign policy of the cold war is no longer relevant. In these circumstances, improving in relations with the Soviet Union will further not only our national interest, but the cause of peace all over the world.

The Consular Convention represents a significant symbolic step toward improving Soviet-American understanding. Its ratification, therefore, serves the highest cause of mankind—the cause of peace.

Mr. President, I urge the ratification of the Consular Convention.

Mr. JORDAN of North Carolina. The Consular Treaty which we are now considering has caused me as much concern as any issue which has come before us during the time I have been a Member of the Senate.

It concerns me, first of all, because it comes up at a time when we are at war with Communist forces in Vietnam.

It concerns me because I honestly feel that a great deal of misinformation designed to play on the emotions of people has been deliberately spread about what the treaty would and would not do. I have received hundreds of letters from sincere and honest people who fear the treaty because of misinformation put out through a massive letter-writing campaign.

This treaty also causes me great concern because we are at a point in our history when we must not only use whatever military force is necessary to overcome Communist aggression in Vietnam or anywhere else, but we must also use the very best wisdom we have in trying to bring about peaceful relations among men of all nations regardless of their political persuasion.

I know we have the military might to meet any challenge. We must also show our adversaries that we have the prudence and the judgment to promote peace.

In deciding on the Consular Treaty we need to think very carefully about where it would fit into this picture.

First of all, the treaty itself does not provide for any more or any less consulates than could be established under existing law.

What the treaty would do, and all it would do, would be to spell out the rules under which American consulates could be opened and operated in Russia and under which Russian consulates could be opened and operated in the United States.

These rules would be reciprocal in every respect.

I think we must also consider very carefully the fact that the treaty we are seeking is not something that has just been suddenly thrust upon us. The exact opposite is true. Our Government under three Presidents has seen the need for and sought such a treaty as a means of encouraging peaceful relations for nearly 10 years.

It is my sincere belief that if such a treaty would help us in finding peace as early as 1959 then it may help us even more today, at a time when we are devoting our resources, our knowledge, and our wisdom to ending the fighting in Vietnam.

On many occasions I have stated that any conflict between men or nations must be settled ultimately by people sitting down talking with each other. For example, whatever understanding is finally reached about Vietnam it will be reached at the conference table, and I wish very much that an understanding could have been reached before the fighting instead of the one which must be reached after the fighting.

People, and nations, that talk to each other are much less likely to fight than those who sit in the corner, suck their thumbs, and refuse to speak. On the other hand, people, and nations, who talk and communicate with each other, more often than not trade and do business with each other and become more understanding and more peaceful.

If our Nation should decide that the wisest course in dealing with Russia is to maintain rigid silence and refuse to communicate, then we should prohibit the 18,000 Americans who visit Russia each year from doing so. This same course would also require us to prohibit any Russians from visiting and seeing the United States.

On the other hand, if we think it is wise, constructive, and helpful to ultimate peace to exchange travelers, then we have an obligation to give our citizens who visit Russia the best possible protection. That is one of the purposes of this treaty.

It is my honest belief that it is wiser for us to establish communications with the people of Russia than it is to try to convince ourselves that they do not exist and ignore them. I may be old fashioned, but I believe that once we establish more peaceful communications with them we can not only show them the futility of war but we can also sell them on democracy.

I am willing to try. I am not afraid of democracy competing with communism. I believe there is a way to settle our differences without going to war and I believe this treaty would help us toward that end.

For these reasons I support the Consular Treaty.

Mr. McGEE. Mr. President, let it not be said that timidity, for the second time, has caused this body to shrink from approving a very simple and desirous convention on the exchange of consuls with the Soviet Union because of fears engendered by people who either misunderstand its nature or intentionally distort the purposes of the treaty.

Every Senator in this Chamber has, as I have, received countless letters—many of them identical form letters—opposing this treaty and citing the Director of the Federal Bureau of Investigation as the source of their belief that it would lead to the establishment of Soviet espionage nests beyond the touch of U.S. laws in virtually every important city of the land.

Many Senators in this Chamber know this contention is pure, unadulterated hogwash. It has been fostered by the same coterie of individuals and organizations which attempts at every turn to block every attempt at expanding the contacts between the United States of America and the Soviet Union, the world's two major powers. The people who fire the flames of opposition to this treaty are, I submit, without substantial faith in the attractiveness and power of the American system. Why else do they make the Communists seem 10 feet tall? Communism has always found it difficult, if not impossible, to stand comparison with the American way of life. Yet we in the United States have been altogether too shy, too reticent, or too afraid, to use our best weapon—our heritage, our traditions, our ideas, and our way of life. The more we can expose foreigners, especially Russians, to these, Mr. President, the greater our potential gains.

Indeed, as a politician I can state, very frankly, that I am glad I am not a Russian in the Kremlin having to justify this treaty. For, in fact, the United States has more to gain from this treaty than does the Soviet Union. As a bargain, it is much in our favor.

It is an unfortunate circumstance that this treaty, which the very able and astute Committee on Foreign Relations has twice considered and twice approved, has been allowed to become an emotional issue. If we look at it unemotionally, Mr. President, what do we find?

First, we find that it would not in itself lead to the establishment of any Soviet consulates in the United States. Such exchanges would have to be worked out between the two governments, although the ground rules for their operations would be laid down. Secondly, the contention that any consulates subsequently opened would be "covers" for Russian espionage and thus endanger the security of the United States cannot be taken too seriously if one has confidence in our own counterespionage agencies, notably the FBI. Indeed, one Russian consulate, which is what we can look for in the foreseeable future, would involve only 12 to 15 Russian nationals, all of whom the FBI would presumably have no difficulty in identifying and in keeping under surveillance.

Although these Soviet nationals would be granted immunity, Mr. President, it is likewise true that American consular officers would have immunity from prosecution under Soviet law. Consid-

ering the quality of justice in the respective countries, I submit that this is, indeed, an important protection for U.S. personnel which might in the future be sent to consular outposts in the Soviet Union.

Each year, as we know, some 18,000 citizens of the United States visit the Soviet Union for one reason or another. A few get into trouble. This treaty, for the first time, would guarantee our Government access to any American citizens who may be apprehended and detained. This, in view of the recurring arrest of Americans in Russia, is, I think, an important argument in favor of the treaty. It is a protection we do not have now—but which every potential American tourist may need—perhaps sooner than he realizes. The Russian traveler in America, on the other hand, already has this protection. Why cheat ourselves?

I am under a firm impression, Mr. President, that the elected leaders of our Nation and the representatives of this Government who participated in the drafting of this treaty are honorable men with the best intentions for the United States of America always foremost in their minds. In them, I say, should repose much greater confidence than in any fly-by-night operation on the fringes of Capitol Hill operating with a mailing list and a printing press. I would remind the Senate that this treaty was first sought by President Eisenhower, still sought under President Kennedy, and finally signed 2 years ago under President Johnson.

It lies in its own national interest for the United States to be willing to meet the challenge of easing tensions between East and West. This treaty is but a step, and a small step, in that direction. It may develop that the Soviets might not honor all provisions of the agreement, in which case the United States could declare it null and void.

It might well be argued, Mr. President, that now is the best time for another step toward bettering East-West relations, which are strained by the conflict in southeast Asia.

Mr. President, just as our objective in Vietnam is not to make war, but to end it, our objective with regard to the Soviet Union and Eastern Europe is, as President Johnson said in his most recent state of the Union address, "not to continue the cold war, but to end it."

The Consular Treaty will not end the cold war, but it will help to ease it, perhaps, and without lengthening the war in Vietnam. It requires of us only that we place trust in our own Government to act wisely and in the best interests of the United States and world peace in making the treaty's provisions operative. That is not, or should not be, asking much from this body. We should vote to ratify this treaty forthwith.

Mr. TOWER. Mr. President, ratification of the consular pact would, in my opinion, best be deferred pending careful consideration of its relationship with other important measures soon to come before us. I refer, of course, to the Treaty on Peaceful Uses of Outer Space, as well as proposals to greatly increase our trade with Communist nations.

The Space Treaty itself has what could be termed broad ramifications. Certainly, it deals with a subject matter that could very well have a significant bearing on our strategic posture, and on our long-range national security interests. Its provisions must be considered meticulously, with careful analysis by this body as well as by those possessing a high degree of military and technical expertise.

It could very well be, Mr. President, space treaty ratification would have little adverse effect on our overall defense posture. If such were the case in my opinion, then I would probably support it.

However, I feel my distinguished friend from Nebraska has suggested the most logical approach, and that is, consideration of the interrelationship of the Consular and Space Treaties, along with the more far-reaching, extremely sensitive, and most important East-West trade plans.

Some of those in support of the Consular Pact advise, Mr. President, that today the Communist world is a divided one, and that this fact should be taken into account in consideration of the ratification of this treaty.

Specific Soviet-Chinese differences are cited, but such differences have nothing whatsoever to do with this proposed treaty. And there has certainly been little if any effect on the continued assistance to North Vietnam by either nation.

It is difficult to find a single criteria which would indicate to us that treaty ratification would be followed by a cessation of Soviet ideological vilification, or more importantly, an end to Soviet Russia's massive infusion of military aid into North Vietnam.

The Consular Treaty and the Outer Space Treaty, we are told, are merely two preliminary agreements preceding what could well prove the most controversial issue to face the Congress in this session, that is, the proposed expansion of trade with Communist nations.

Mr. President, it goes without saying I strongly favor, as I am sure my colleagues do, sincere, mutual, peace efforts. So have past administrations, both Republican and Democrat. This Nation and its official representatives, and some not so official, I might add, have made countless offers, countless times, to lessen tensions and to increase understanding with the Soviets and their Communist satellites. Just as often, our moves and offers have been refused. No one can say this Nation has not diligently pursued the quest for peace; substantial concessions have been made in hopeful expectation that just a fraction of our efforts would be successful. All, Mr. President, to no avail, and I would add, that at the very time we were making such proposals, the U.S.S.R. not only mounted, but increased, its professed ambition to impose, through any means, its communization of the world.

The Tri-Continent Conference held in Havana last year was attended by Communist delegations from some 80 countries. Vigorous participation by the Soviets was noted. The purpose of the conference was described as one to consolidate the efforts of the Communists to achieve their objectives in South America, Africa, and Asia.

The Soviet representative in attendance stated:

> The Soviet delegation came to this Conference to promote in every conceivable way the unity of anti-imperialist forces of the three continents so as to unfold on a still greater scale our common struggle against imperialism, colonialism, and neo-colonialism headed by the United States capitalists.

The Tri-Continental Conference itself called "for the use of every form of struggle necessary including armed battle" to achieve the objectives of the Communists of the world.

And the final Conference declaration stated:

> The Conference hereby proclaims that the primary task of the peoples of Asia, Africa, and Latin America is to intensify the struggle against imperialism, colonialism, neocolonialism and to win and consolidate national independence, especially against the exploitation practiced by the Yankees. The merging of efforts will turn active solidarity on our continent into a new historical force of colossal dimensions.

Mr. President, had this country's unilateral efforts lessened tensions in any way, or advanced the goal of peace, then matters would be different. As I have noted, not only have our peaceful gestures been spurned, hostility toward us by the U.S.S.R. has actually increased.

In January of this year, the President of the Soviet Union said:

> The Soviet Union is giving, and will continue to give North Vietnam ever growing aid until the full triumph of the just cause which the Vietnamese people are struggling.

Mr. President, in my opinion, the prestige of this country can only be harmed in the face of such overt repudiation, such thwarting of our sincere efforts toward peace, if we do not now stand firm.

Two arguments presented in behalf of the treaty are that better protection would be afforded American citizens who travel in Russia, and that this country would be able to secure greater insight into the Soviet thinking and way of life.

Certainly, the affording of better protection for American tourists would be welcome, but nothing in the past has deterred the Communists from detaining and mistreating our citizens. I doubt seriously if a new agreement would be better honored, if in the Soviets' opinion their best ends could be better served by breaking or failing to honor such new agreement.

> As to the argument that our officials would learn more of the Soviet way of life, I can see little advantage. The Soviet society is a closed one, with little access to information, and very tight restrictions on travel. Contrast this with relatively few restrictions which will be placed on additional Soviet personnel, and it can easily be seen which Nation would gain the most.

Mr. President, I support in lieu of the ratification of the Consular Treaty at this time, and prior to the administration's presentation of the Space Treaty and its presentation of East-West trade proposals, the suggestion of several of

my distinguished colleagues that we undertake a thorough examination and review of our relations with the Soviet Union and its Communist bloc nations. This detailed inquiry into the relations with the Soviet bloc will provide a needed opportunity for clarification of many important issues.

What we truly need, as my able friend from Nebraska, Senator HRUSKA, has pointed out is a "painstaking analysis" of the goals of the Communist world today. We hear one thing, and see another, Mr. President. We hear there is a softening of the Soviet position, that no longer is world revolution the Communist order of the day, that Russia at long last realizes that the achievement of peace is in its own best interests. We are told increased trade, which will be used to enhance the strategic power of the Communist world, will not be adverse to our interest.

I would just briefly point out to those espousing this trade line that it is not within our means to determine the ultimate uses to which our exports will be put. And certainly, such imports into the Soviet bloc would allow diversion by them of at least some of their productive resources into more militarily strategic fields.

In any event, as has been noted, we have just heard of this recent change of Soviet heart, no evidence of it has been seen. On the contrary, consider the official Soviet declarations as to its present and future commitments to North Vietnam.

Mr. President, it is readily conceded that this matter of a Consular Treaty is only the first in a series of measures, all of which, if adopted, would change the entire complexion of our foreign policy structure. Therefore, while it is important we consider each such proposal carefully, we must not lose sight of the cumulative effect on our national interests.

Thus, I feel it would be wise indeed to consider the administration's so-called bridgebuilding measures in toto, rather than piecemeal. By calling upon the administration to submit all of its "bridgebuilding" measures in one package, we may view the package in its entirety, and thus better assess its ultimate impact and long range effect upon the United States.

Most certainly, Mr. President, consideration of the Consular Treaty should be deferred.

Mr. SPONG. Mr. President, after considerable thought and careful study, I have decided to vote in favor of the pending Consular Treaty with the Soviet Union.

In 1848 Viscount Palmerston of Great Britain, speaking in defense of the foreign policy he had directed for his country, said:

> We have no eternal allies, and we have no perpetual enemies. Our interests are eternal and perpetual, and those interests it is our duty to follow.

More recently, Gen. Charles de Gaulle, borrowing perhaps from Lord Palmerston, stated that nations have no friends, only interests. While these expressions have not always been hallmarks of American foreign policy, they form the context within which I chose to view our posture with regard to Soviet Russia, particularly with regard to the questions of ratification of the Consular Treaty presently before the Senate for advice and consent.

I am persuaded that it is in the interest of the United States to ratify this treaty at this time. The United States proposed the convention. The United States toook the initiative in pressing for negotiations leading to the document now before the Senate.

The treaty merely provides the legal framework for the operation of Soviet consulates in this country and U.S. consulates in Russia, if and when they are established. The treaty itself does not authorize the opening of consulates nor does it specify the number of consulates to be opened. The location and number of consulates will be determined by negotiation, should the treaty be ratified. If negotiations are held as a result of ratification, I have been assured that the Congress will be kept fully advised. Moreover, it has been stated that for the foreseeable future only one consulate for each nation is contemplated.

Should the treaty become operative, protection will be afforded the more than 18,000 Americans who visit Russia annually. Should an American national be arrested in Russia, the treaty guarantees that consular offices will be notified within 1 to 3 days. There is guaranteed access by our officials to detained Americans within 2 to 4 days of their arrest and this right of access continues as long as they are held.

Gary Powers, the U-2 pilot, was held incommunicado by the Soviets for 21 months. In 1961, an American student, Marvin Makinen was detained from July 21 to September 4, before there was any notification of his detention to the American Embassy. There are more recent examples, one involving Newcomb Mott, who died while imprisoned under circumstances still unexplained.

The provision in the treaty that has given me concern is the immunity clause. It is broad and contrary to any consular agreement heretofore entered into by the United States. Accordingly, I supported an amendment to reduce the immunity to that spelled out in previous consulate agreements entered into through the years by this Nation. This amendment was defeated. It should be observed, however, that the immunity given to Russian officials in this country under the treaty will also apply to American officials in Russia. Undoubtedly additional security problems will be presented by the treaty. But the proper authorities have testified that no problem is presented that cannot be handled. Should the treaty prove unsatisfactory because of the immunity clause or any other article, it may be terminated by either party upon 6 months' notice.

Other language has been offered during the course of the debates as addenda to the treaty. While I am in agreement with the sentiments expressed in these offerings, particularly those which recognize the present hostility of the Soviet government to our efforts in Vietnam, they are, for the most part, inapplicable to the purpose of this treaty. Adoption of any of these would have the effect of saying that we do not desire the treaty at this time.

Despite my reservations about the immunity clause, the compelling need for the protection of American nationals in Russia persuades me to support ratification of this treaty. Moreover, with a decided change in Sino-Soviet relations so evident these past months, a limited gesture in the direction of the Soviets seems advisable.

I ask unanimous consent that recent editorials from the Roanoke, Norfolk, and Richmond newspapers which endorse treaty ratification be printed in the RECORD. These editorials see ratification of this treaty for what it is: a cautious, guarded step for the protection of American citizens abroad; hopefully, a step toward better understanding in a troubled, shrinking world; and, in the Alice-in-Wonderland atmosphere of today's world stage, possibly a wise move at a time when the Russians are concerned with the growing tide of Chinese nationalism and anti-Soviet sentiment in Peking.

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

[From the Norfolk-Portsmouth Virginian-Pilot, Feb. 4, 1967]

HELP FROM MR. EISENHOWER

Former President Eisenhower's endorsement of the proposed Consular Treaty with the Soviet Union is a valuable service in behalf of what ought to be a bipartisan approach to improve Russo-American relations.

First of all, Mr. Eisenhower made clear that the proposal was no scheme from Moscow to increase its espionage apparatus in the United States. The idea originated from the American side in his administration. Vice President Nixon made the first official move toward reciprocal consulates in July 1959. Secretary of State Herter renewed the suggestion two months later. The major objective was to protect American citizens in Russia.

The Eisenhower statement also serves to bolster the efforts of an important group of Republican moderates to overcome Senator Dirksen's negative leadership on this issue. Without Republican support in the Senate, where ratification requires a two-thirds vote, the treaty is dead.

Two former chairmen of the Republican National Committee—Senator Morton of Kentucky and Senator Scott of Pennsylvania—are among the moderate wing who have spoken out on the Senate floor in behalf of the agreement. Both took the occasion to denounce the right-wing Liberty Lobby, which is flooding the Senators with letters of opposition. Senator Morton called the postal avalanche a "carefully planned and well financed 'big lie' operation designed by the paranoids and fearmongers." Strong language, if ever we heard it. Senator Morton also chided President Johnson for "timidity" in not pressing more forcefully for ratification.

The Senator asked on Tuesday for "forceful and persuasive testimony" from the White House. The answer came two days later. Mr. Johnson, opening his Thursday press conference, read a statement putting himself "very strongly" on the side of ratification. He may even have undone some of the jinx put on the treaty by Mr. J. Edgar Hoover's two-year-old testimony that Soviet

consulates in this country would make the FBI's work more difficult. Mr. Johnson said Mr. Hoover "has assured me" that no problems would be raised with which the FBI could not deal. This attribution is a shade more affirmative than Mr. Hoover's cryptic response in the exchange of letters with Secretary Rusk.

Mr. Eisenhower, agreeing with Mr. Johnson that the treaty is "in our national interest," also helps to combat the espionage argument against the treaty. As to whether consulates would not also provide enlarged spy opportunities for the United States, the State Department has replied simply, "The rights are reciprocal." Mr. Eisenhower adds: The treaty "should enlarge our opportunities to learn more about the Soviet people."

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[From the Roanoke Times, Mar. 5, 1967]

TIME TO RATIFY CONSULAR TREATY

Now that the Senate Foreign Relations Committee has approved the consular treaty and some of the misconceptions about it have been cleared up, the Senate should ratify it as soon as possible.

The treaty, which has had a weird, in and out, up and down existence since 1964, is a small, guarded step in the direction of better East-West relations.

It would work principally to the benefit of the more than 18,000 American visitors and tourists who travel in Russia (this figure will probably leap with the direct air service between the U.S. and the Soviet Union). But more important, it is a way in which two world powers can show their willingness to try to ease the worldwide tension engendered by the war in Vietnam.

Sen. Everett Dirksen has broken with the Senate's small but influential group of old guard Republicans and has come out for the consular treaty, a move that should help speed ratification. The question of J. Edgar Hoover's position on the treaty as an internal security threat has been so muddled by Mr. Hoover's propensity for letter-writing that his shifting position is no longer a consideration.

The conservative GOP forces in the Senate, realizing that the treaty has been blown up into a do-or-die battleground over President Johnson's "bridge-building" campaign, may be retreating and regrouping for an assault on the East-West trade bill.

At that point Cold War rhetoric will probably ring out again. Until then, however, ratification of the consular treaty would be tangible evidence that the United States is flexible enough to take advantage of growing gaps in Russia's "closed society."

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[From the Richmond Times-Dispatch, Mar. 15, 1967]

RATIFY THE TREATY

Since the proposed consular treaty with Russia, unlike nearly every other treaty which that country has wanted to sign with us, is as fair to the United States as it is to the Soviet Union, it should be ratified.

Its ratification will bring no millennium—we may be sure of that. The signing of such a pact will represent only a minuscule step in the direction of ultimate peace between Moscow and Washington.

Yet, to repeat, the treaty embodies advantages to the United States as great as those proposed for the USSR. For that reason, one finds it hard to see that we are taking a risk in ratifying it.

Each country is permitted, under the pact, to open additional consulates within the other. Since Russia can do that now in this country, but we can't do likewise in the Soviet Union, this is a distinct "plus" for us.

In addition, the 18,000 Americans who visit Russia as tourists annually will enjoy added protection, under the treaty. In the event of their arrest, they can communicate promptly with U.S. officials in Moscow or one of the other Soviet cities where there will be an American consul. Arrested Americans no longer can be kept incommunicado, and forbidden access to U.S. consular representatives.

True, it can be argued with absolute accuracy that the USSR is furnishing the backbone of the Viet Cong's war effort in Vietnam. The contention follows logically that if Moscow wants to be friendly with Washington, it should first call off its "dogs" in Vietnam.

But Russia isn't going to do any such thing now—everybody knows that. So either we sign the treaty without relationship to what is happening in Vietnam, or there will be no treaty.

Various types of reservations are being proposed. However logical they may be, the fact remains that we must approve the treaty without such reservations, or Russia will forget the whole thing.

Ratification by the U.S. Senate may turn out to have no consequences whatever beyond providing the slight advantages with respect to U.S. consulates and tourists already referred to. But it *might* have additional important results, such as helping to drive Moscow and Peking farther apart. If so, it could be eminently worthwhile.

Mr. GRIFFIN. Mr. President, many Michigan citizens trace their origins to lands which are now under Soviet domination. At the time of the 1960 census, over 27,000 first and second generation Latvians, Lithuanians, and Estonians were counted in Michigan. It is likely that this number now exceeds 30,000.

I am receiving hundreds of letters from these Michiganites because they are keenly and sincerely concerned about possible effects of ratification of the Consular Convention upon the Baltic nations and their peoples.

They are concerned that ratification of the Consular Convention may prejudice and perhaps destroy the international position of the Baltic States. Until now, the United States has not recognized the forcible annexation by the Soviet Union of the Republics of Latvia, Lithuania, and Estonia. Many well-informed individuals are concerned that ratification will alter our present policy and may lead immediately, or ultimately, to recognition of the Soviet position with respect to the Baltic States.

These good Americans of Baltic descent are also concerned that Soviet consular personnel may be able to assert representation rights with respect to U.S.-situated decedents' estates belonging to, or passing to, Baltic nationals. Consulates representing the last free governments of these Baltic Republics have been recognized in the past by our probate courts.

But there is concern that, if the convention were ratified, the probate courts of the various States would be required to review our foreign policy and might find the Soviet Union to be a proper representative in probate matters.

Mr. President, I am convinced that these are honest and substantial concerns. Because I share these concerns, I have studied the record and directed several inquiries to the State Department.

I believe that certain remarks of Secretary of State Rusk delivered during the 1965 hearings of the Senate Foreign Relations Committee, together with excerpts from a State Department question and answer statement, dated February 2, 1967, as well as replies I have received from the State Department should be spread upon the record and made a part of the legislative history of the Senate's deliberations on this treaty.

The State Department has declared unequivocally that ratification of the Consular Convention will not alter the existing U.S. nonrecognition policy with respect to the forcible Soviet takeover of Latvia, Lithuania, and Estonia.

As appears in the record of the 1965 committee hearings, at pages 25–26, Secretary Rusk was asked about the effect of the treaty on recognition. Here are the words of Secretary Rusk:

First of all, Sir, this convention does not affect in any way the question of recognition of the absorption of those countries into the Soviet Union. Recognition there is similar to the general practice of recognition of states or of governments; that is, everything turns upon the intent of the government concerned—in this case ourselves. It would require us to make some formal statement of an intent to recognize or an act of recognition before that could come about.

So, this convention itself does not affect that.

Nor would it be affected by the establishment of consular districts there for the protection of our own citizens. We do have a bit of a dilemma there, Senator. If American citizens go into areas whose political status we do not recognize, we still have the responsibility of doing what we can to give those citizens adequate protection, and as you know, we have had some difficulties in the courts and otherwise about the limitations on the power of the U.S. Government to inhibit the travel of its citizens into areas where we cannot afford adequate protection.

So, our judgment and our position are quite clear. This does not affect the question of the recognition of the absorption of those three states.

Earlier this year the State Department issued a short statement entitled "United States-U.S.S.R. Consular Convention, Questions and Answers," dated February 2, 1967. Question 13, and the answer thereto, relate to the issue of recognition. The question:

Does the Convention prejudice the position of subject peoples incorporated against their will into the Soviet Union?

And the Department's answer:

No, it does not. The United States Government has never recognized the forcible annexation of Estonia, Latvia, and Lithuania. Ratification of this convention would in no way change our policy in this respect, nor would any subsequent opening of a consulate or demarcation of a consular district. Recognition of incorporation of states into the Soviet Union would require a positive statement or act by the United States. The convention contains no such statement and provides for no such act. It is United States policy to support the just aspirations of all peoples of the world and to look forward to the day when all will be able to express these aspirations freely. The ratification of this treaty will not change this policy—any more than did the signing of more than 105 other bilateral and multilteral agreements which we have entered into with the U.S.S.R.

In addition, a letter dated February 6, 1967, which I received from the State Department, signed by the then Assistant Secretary of State Douglas MacArthur II, includes the following statement:

The United States Government has consistently refused to recognize the forcible annexation of Estonia, Latvia and Lithuania into the Soviet Union. We continue to recognize the diplomatic and consular representatives of the last free governments of these countries. The ratification of this Convention would in no way change our policy in this respect. Neither would the eventual opening of an American consulate in the USSR and the demarcation of consular districts, which, as you know, are not required by this treaty. Recognition of the incorporation of Estonia, Latvia and Lithuania into the USSR, like all cases of recognition, would require either a positive statement to that effect, or a positive act clearly manifesting an intention to recognize. This Convention contains no such statement and provides for no such act.

* * * * *

. . . It is United States policy to support the just aspirations of all the peoples of the world and to look forward to the day when all will be able to express these aspirations freely.

Mr. President, the State Department has also declared that ratification of the United States-U.S.S.R. Consular Convention will not alter existing probate practice as it relates to decedents' estates passing to nationals of the Baltic States.

Recently, Mr. Algis Zaparackas, chairman of the Lithuanian World Youth Congress, wrote to me expressing serious concern on this point, and requesting clarification.

This is a sober, intelligent inquiry addressed to a real issue of significance. The legislative history of this debate should contain a direct and satisfactory response. Therefore, I addressed an inquiry to the State Department, and I have received a reply dated March 15, 1967, signed by Assistant Secretary of State William Macomber.

The reply reads in part as follows:

. . . Article 10(3) of the Convention . . . preserves in full the competence of state law and state courts to refuse or limit the authority of consular officers to receive and distribute assets of an estate.

We believe that allowing this kind of flexibility to the state courts, which after all have primary jurisdiction and responsibility for the administration of estates, will serve the objectives sought by Mr. Zaparackas and his organization.

It is believed by some that State Department assurances, even if adequate now, are inherently inadequate with respect to the long-range problems this convention may create for U.S. policies in regard to the Baltic States. There is the opinion that ratification will inevitably lead to de facto recognition of the forcible annexation.

The course of international affairs is too unpredictable to reject that concern out of hand. However, we can minimize that possibility by taking this opportunity to reiterate emphatically the continuance of our existing policy. In fact, it would be my hope that the reassertion of our present policy in this debate should serve to reaffirm and strengthen our support for the freedom aspirations of the Baltic peoples.

Mr. President, I ask unanimous consent that the full text of the two letters from the State Department, to which I have referred, be reprinted at this point in the RECORD.

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

ASSISTANT SECRETARY OF STATE,
*Washington, February 6, 1967.*

Hon. ROBERT P. GRIFFIN,
*U.S. Senate.*

DEAR SENATOR GRIFFIN: During our recent discussion of the US-Soviet Consular Convention, you asked what communist countries maintain consular offices outside of Washington. The only two that do so are Poland and Yugoslavia. Poland has a consulate in Chicago, and Yugoslavia has consulates in San Francisco, Chicago, New York and Pittsburgh.

Since we have no consular convention with Poland, Polish consular personnel in Chicago would not receive the immunities set forth in the US-Soviet Consular Convention by virtue of the most-favored-nation principle. We do have a consular convention with Yugoslavia signed in 1881 which provides for most-favored-nation treatment, conditional, however, upon reciprocity. The Yugoslav Government has evinced no interest in the immunities provisions of the US-Soviet Consular Convention.

You also inquired as to what the effect of the US-Soviet Consular Convention would be on our position and policy concerning the Baltic States and other peoples aspiring of freedom. There has apparently been some misunderstanding of these points and I should like to make our position on them perfectly clear.

The United States Government has consistently refused to recognize the forcible annexation of Estonia, Latvia and Lithuania into the Soviet Union. We continue to recognize the diplomatic and consular representatives of the last free governments of these countries. The ratification of this Convention would in no way change our policy in this respect. Neither would the eventual opening of an American consulate in the USSR and the demarcation of consular districts, which, as you know, are not required by this treaty. Recognition of the incorporation of Estonia, Latvia and Lithuania into the USSR, like all cases of recognition, would require either a positive statement to that effect, or a positive act clearly manifesting an intention to recognize. This Convention contains no such statement and provides for no such act.

Whether or not this Convention is approved, if an American citizen should be arrested or detained in the Baltic States we would have the inescapable obligation of trying to make arrangements for his protection through the Ministry of Foreign Affairs of the USSR, including access by an American consular officer. While fortunately no Americans have been detained in the Baltic States in the recent past, this has been our policy over the years. It will continue to be our policy whether or not this treaty is approved.

Some have argued that this treaty should be rejected because it would confirm or approve the Soviet Government's domination over the non-Russian peoples of the USSR. It is United States policy to support the just aspirations of all the pepoles of the world and to look forward to the day when all will be able to express these aspirations freely. The ratification of this treaty will not change this policy—any more than did the signing of the more than 105 other bilateral and multilateral agreements which we have entered into with the USSR.

I am enclosing several papers which deal with various aspects of the US-Soviet Consular Convention upon which we touched in our talk on February 1. After you have had a chance to look them over, I would be happy, indeed, to confer further with you on this important subject if you so desire.

With all good wishes.

Sincerely,

DOUGLAS MACARTHUR II,
*Assistant Secretary for Congressional Relations.*

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DEPARTMENT OF STATE,
*Washington, March 15, 1967.*

Hon. ROBERT P. GRIFFIN,
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR GRIFFIN: I have received your letter of March 7, on the behalf of Mr. Algis Zaparackas, Chairman of the Lithuanian World Youth Congress, who suggests ratification of the U.S.–U.S.S.R. Consular Convention with a reservation preserving in force certain treaties concluded in the 1930's between the United States and the Republic of Estonia, Latvia, and Lithuania.

The Department has taken a clear position against the adoption of any reservations which might and probably would open up the Convention to counter-reservations or rejection by the Soviet Union. Such a course of action would jeopardize, among other things, the rights of consular protection for American citizens in the Soviet Union provided by the Convention, which we consider very much in the national interest.

The Secretary of State and the Legal Adviser to the Department have both made it clear in their testimony to the Foreign Relations Committee that the Convention does not in any way alter our policy of non-recognition of the forcible incorporation by the Soviet Union of the Baltic Republics of Estonia, Latvia, and Lithuania. Furthermore, Article 10 (3) of the Convention, which I have reproduced as an enclosure to this letter, preserves in full the competence of state law and state courts to refuse or limit the authority of consular officers to receive and distribute assets of an estate.

We believe that allowing this kind of flexibility to the state courts, which after all have primary jurisdiction and responsibility for the administration of estates, will serve the objectives sought by Mr. Zaparackas and his organization.

Please let me know if I can be of any further assistance.

Sincerely yours,

WILLIAM B. MACOMBER, Jr.,
*Assistant Secretary for Congressional Relations.*

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CONSULAR CONVENTION WITH THE SOVIET UNION—ARTICLE 10(3)

Unless prohibited by law, a consular officer may, within the discretion of the court, agency, or person making distribution, receive for transmission to a national of the sending state who is not a resident of the receiving state any money or property to which such national is entitled as a consequence of the death of another person, including shares in an estate, payments made pursuant to workmen's compensation laws, pension and social benefits systems in general, and proceeds of insurance policies.

The court, agency, or person making distribution may require that a consular officer comply with conditions laid down with regard to: (a) presenting a power of attorney or other authorization from such nonresident national, (b) furnishing reasonable evidence of the receipt of such money or property by such national, and (c) returning the money or property in the event he is unable to furnish such evidence.

Mr. SMATHERS. Mr. President, the United States-U.S.S.R. Consular Convention now before the Senate has already been the subject of considerable debate in the Foreign Relations Com-

mittee, on the Senate floor, and among the general public.

I have carefully studied the arguments for and against ratification and concluded that I will support it—not as a gesture of friendship to the Soviet Union but as a measure to advance our own self-interest.

I came to this decision only after considerable thought and only because I decided that this agreement meets one essential criterion; it benefits the United States more than it benefits the Soviet Union.

We can perhaps afford to adopt less stringent standards in judging treaties with other countries, though these too must result in a net gain for our national interest if they are to merit approval.

But the Soviet Union is an adversary with a very poor record of performance on treaties and solemn undertakings to which she has been a party in the past.

I believe experience shows us that we must look long and hard at each new proposal put before us. We must be certain that any agreement with the Soviets contains firm safeguards against abuse or is self-enforcing, for while many nations show an easy virtue in fulfilling their treaty obligations the Soviet Union's cynicism in this regard flows from the well-springs of ideology.

The Consular Convention, I believe, meets these exacting tests:

It was proposed by the United States, not the Soviet Union.

Throughout the negotiations it was the United States, not the U.S.S.R. which pressed for conclusion of a treaty.

Today there is no evidence that the Soviet Union attaches particular importance to the ratification of this treaty except as an indication of the United States' willingness to do business with them.

The treaty gives the President no power to open consulates which he does not already have under the Constitution.

On the other hand, the treaty will bring immediate benefits to Americans arrested or detained in the Soviet Union, whether or not consulates are ever opened.

Its provisions on notification and access give Americans rights which Soviet citizens do not possess. While notification and access are not equivalent to guarantees of immunity from Soviet law, they do represent a major step forward in our ability to assist Americans who need help.

I know that if I were in a Soviet jail I would feel that the right to inform my embassy of my plight and be visited by American officials would be very important, and the testimony of those who have been arrested in the Soviet Union and other Communist states strongly supports this view.

The minority views of the Foreign Relations Committee's report contain four compelling arguments against ratification which must be carefully considered and answered before arriving at any decision.

These arguments were carefully developed in open hearings by seven witnesses appearing in opposition to the treaty.

One need only glance at the report of these hearings to see that the opponents of the convention were given full opportunity to express their views.

Let me briefly give my views on each of the four arguments presented against ratification:

First. The minority report holds that this is the wrong time to act on this treaty because of Vietnam; in any case, the entire package of bridge-building proposals should be considered together.

I believe it would be folly to tell the Soviet Government at the height of the Sino-Soviet dispute that in effect we are unwilling to do business with them on any issue regardless of its merits.

Our limited aims in Vietnam will not be served by full scale confrontation with the Soviet Union in southeast Asia and elsewhere.

Indeed such a policy might well force Moscow and Peking into one another's arms. We must carefully consider each step toward more normal relations on its own merits, not as part of some indivisible package.

Second. The minority report stresses that the Soviets have a very poor record in living up to treaty obligations, and questions the usefulness of entering into any sort of agreement with them.

I agree that history teaches us an important lesson about treaties with the Communists. The lesson is that nothing must be taken on faith—that specific safeguards against abuse must be a central part of any agreement.

The committee report on the Consular Convention shows that it contains safeguards spelled out in unprecedented detail for an agreement of this sort.

Third. The minority report maintains that this convention would greatly increase the danger of subversion by granting immunities to any Soviet consular officials who might be assigned to consulates in this country.

I am satisfied that Americans who might serve in a consulate in the U.S.S.R. need the protection of immunity, both for their own safety and for the security of this country.

I am satisfied also that our law enforcement agencies can control the activities of the 10 or 15 Soviet nationals with immunities who might staff a Soviet consulate in the United States.

As a matter of fact there are presently 452 Soviet officials in the United States that have diplomatic immunity. The Director of the Federal Bureau of Investigation has assured the Congress that 10 or 15 more would raise no problems which the FBI cannot effectively and efficiently deal with. The President of the United States and the Secretary of State are in agreement with the Director of the Federal Bureau of Investigation.

There is one other point that I would like to emphasize and that is that under the safeguards of the proposed Consular Convention, if after ratification negotiations are undertaken with respect to the opening of a consulate it would be on an equality basis. If the Soviet Union agreed to permit us to open up one consulate we in turn would allow them to open one here. Should such an occasion come about the question of where the Soviet consulate might be eventually established in this country would be discussed not only with the Senate Foreign Relations Committee, but also the State and local officials of the community to be affected before concluding such an agreement.

Fourth. Finally, the minority report holds that, on balance, the disadvantages of this treaty outweigh its advantages.

I disagree. First, I believe that the convention's concrete provisions on protection for American citizens abroad outweigh the hypothetical hazards cited by opponents of ratification.

Second, I believe that we must show our readiness to normalize relations with the Soviet Union at this critical moment of disarray in the Communist world.

In making the difficult decision to support this treaty I have tried to avoid emotion and cliche. Examined on its own merits the Consular Convention is a modest step of little intrinsic importance.

While it well serve the U.S. interest it will hardly open a new era of good feeling in United States-Soviet relations.

One issue connected with ratification is of overriding importance and justifies the attention which has been devoted to this seemingly minor question.

If we reject this minor step forward, a step which if considered on its own merits is clearly in our interest, we are rejecting the central thesis of the President's policy toward the Soviet Union and East Europe.

We are telling the Soviets that at this critical moment in the Sino-Soviet dispute we are unwilling or unable to take any steps to limit areas of disagreement between us and build a more stable relationship based on areas of mutual interest. I believe this would be an historic mistake.

For these reasons, I believe that ratification of this treaty is in our own national interest and is not adverse to our national security.

Mr. LAUSCHE. Mr. President, I would like to build bridges between the East and the West, if it can be done constructively, that would lead toward peace and better understanding. I have been prepared to change my mind, feeling that if what we have done in the past has not succeeded probably we should take a different course and see what the end will be.

My opinion is that while a consular treaty is of some consequence, it is not the major issue in what is going on. The Consular Treaty contemplates giving the right to Russia to open consular offices in different places in the country, but there will be other proposals coming before us, such as removing the restrictions against trade with Communist countries. I would hope that we could make a rapprochement with them, but there is no indication on the part of Russia of any purpose to do so.

Certainly, to establish, let us say, one new consular office with 15 attachés might not be dangerous, although if we give Russia a consular office, we will have to give one to Yugoslavia and to all the other satellite nations as well.

The Consular Treaty is not what bothers me. I think we can stomach

that, even though there may be some dangers in it.

But, what is to follow?

How far are we to open the doors and engage in normal intercourse with them, commercially and socially, after the Consular Treaty has been adopted?

Russia could help by ceasing its condemnation of the United States; cease hurling epithets and labeling us as imperialists wanting to exploit the resources and the human beings of other areas of the world; cease issuing declarations such as the one it made in Havana, in its condemnation of the United States, that they were going to fight us in South America, Africa, and in the Far East; cease sending equipment to South Vietnam, equipment which is being used to kill our boys.

They have done nothing to show any gesture of friendliness toward us. All their actions have been hostile, indicating a continuation of the purpose they announced in 1949, that they would not rest content until all of imperialist United States has been destroyed.

Mr. President, on February 17 a letter was written to me by Mr. Wilbur L. Dunbar, the editor of the Courier-Crescent, of Orrville, Ohio. Orrville is a community of probably 2,000 people. Among several questions, he put this question to me:

What measures should be taken (or can be taken) to improve international relations between the U.S. and the U.S.S.R.? In this respect, how do you evaluate the proposed consular treaty?

The following was my answer:

The United States government has been attempting in every way reasonable to bring about a lessening of tensions between Soviet Russia and the United States. I am distressed, however, to observe that there has not been much effort on the part of Soviet Russia to indicate in any way a desire to lessen tensions. It is sending military equipment to North Viet Nam now. It was a vigorous participant in the Tri-Continental Conference held in Havana, Cuba, in January of 1966, attended by Communist delegations from about 86 countries and purposed to consolidate the efforts of the Communists to achieve their objectives in South America, Africa, and Asia.

By way of interpolation, the Tri-Continental Conference was concerned with the continents of South America, Africa, and Asia.

I read further from my answer:

A 34-man delegation went to the Conference from the Kremlin; it was headed by a Sharaf R. Rashidov who quickly set the tone by stating:

"The Soviet delegation came to this Conference to promote in every conceivable way the unity of anti-imperialist forces of the three continents so as to unfold on a still greater scale our common struggle against imperialism, colonialism, and neo-colonialism headed by the United States capitalists."

In the final declaration issued by the Conference it called "for the use of every form of struggle necessary including armed battle" to achieve the objectives of the Communists of the world.

The declaration reads as follows:

"Imperialism will never voluntarily renounce its policy of exploitation, plunder, aggression and intervention.

"The people of Asia, Africa, and Latin America know by their own experience that Yankee imperialism, the implacable enemy of all the peoples of the world, is the main redoubt of colonial oppression and international reaction.

"Yankee imperialism covers the map with its capital, extracting millions of dollars yearly for its monopolies. Yankee imperialism commits all sorts of abominable crimes against the people and actively prepares attacks against socialist countries and against world peace."

But, Mr. President, that is not the end. They still go on.

The proclamation continues:

"The Conference hereby proclaims that the primary task of the peoples of Asia, Africa, and Latin America is to intensify the struggle against imperialism, colonialism, neo-colonialism and to win and consolidate national independence especially against the exploitation practiced by the Yankees. The merging of efforts will turn active solidarity on our continent into a new historical force of colossal dimensions."

Mr. President, I shall repeat. This declaration was issued in Havana, Cuba, in January 1966, at the Tricontinental Conference, with 83 countries represented by delegates of the Communist peoples of the world. As I stated earlier, 34 of the delegates were from Russia.

Mr. President, I shall continue to quote from my letter:

I cannot bring myself to the conclusion that the people of the United States, or Congress, should adopt the attitude that the challenge to the security of our country has come to an end.

Mr. President, we simply cannot do it in the face of declarations that they are constantly making.

About 5 weeks ago Premier Kosygin of Russia had a 1-hour press conference in London, which was televised to the United States. I was at home and I made up my mind that I would listen to it thoroughly. The discussion was then in progress about the prospects of going to the negotiating table with Ho Chi Minh, and it was sort of said that Kosygin was going to say something that would bring us to the negotiating table. But what did Kosygin say?

I listened to Kosygin hoping that he would utter some words showing a purpose on the part of Russia to relax the tensions existing between his country and ours. Not a word favorable to the United States was uttered by him.

He was asked about our position in Vietnam; he quickly and emphatically declared that we were the aggressors; that we were taking the lives and injuring the bodies of innocent men, women, and children.

I continued to listen, hoping that he would say some one word in behalf of our country.

He uttered not one word against the atrocities which have been clearly established and are legion in number perpetrated by the Communist North Vietnamese.

Repeatedly Russian leaders are labeling our country as imperialist seeking to exploit by neocolonialism various people of undeveloped nations in Africa, South America, and Asia.

We are trying to improve our relations with Russia, but the Communists in Russia just as Ho Chi Minh, the Communist in North Vietnam do not want any relaxation in tensions nor the achievement of peace.

In 1965 when the Consular Treaty was before the Foreign Relations Committee, I cast my vote against it. I would go along with the President and approve the treaty if I could conscientiously and honestly bring myself to the belief that Russia has any purpose actually—and by deed—to cultivate a state of peaceful coexistence but I see no evidence of such a purpose on Russia's part.

I will move into another subject or field. Tito is supposed to be our best friend of all the governments which have a Communist basis. Being our best friend, it would be well to look at what he says as a Communist about our country.

I have a letter here from the Department of State answering a letter that I addressed to it concerning statements made by Tito about the United States. Now then, this letter states that a plenary meeting of the Central Committee of the League of Communists of Yugoslavia was held in Belgrade on February 25 to 26 and March 11, 1966. In his speech on February 25 opening the meeting, Tito said the following:

Comrades, grave excesses are taking place in the world today. The situation is far from good, it is troubled. You read what is happening. The class enemy personified by imperialists and the capitalist bourgeois class is on the offensive all over. In some places, he relies on money, or on coups, in others, on gradual ideological infiltration, etc. And he is extremely active.

Then later in his speech concluding this meeting, he stated:

As you know, the international situation has recently become extremely aggravated. The atmosphere in the world is full of electricity, and various excesses may occur at any moment. Capitalism and imperialism have undertaken their full offensive to regain their positions. For this reason it is no wonder that all this has an effect on our country, which has numerous contacts with other countries.

He then visited Rumania, and at a luncheon in Rumania on April 18, he said:

Unfortunately, this détente has not been achieved in other parts of the world. On the contrary, the situation is steadily worsening and new dangerous hotbeds of conflict spelling a serious threat to world peace and security have appeared of late, especially in Asia and Africa. By their unscrupulous intervention in the internal affairs of independent countries, the imperialist and neocolonialist forces try to halt progressive development in the world and to stifle the people's aspirations for liberty, independence, and equal rights. The most telling example in this respect is the war in Vietnam where, by a most brutal use of foreign armed forces an attempt is being made to prevent the Vietnamese people from deciding their own destinies and ways of development.

If the above statements of Tito show an absence of purpose of establishing amity, what can we expect of Russia?

Mr. President, I ask unanimous consent that the minority views on the Consular Convention with the Soviet Union which I wrote, published August 10, 1965, constituting the minority views of the

Committee on Foreign Relations, be printed in the RECORD at this point.

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

MINORITY VIEWS

We do not concur with the recommendation of the Committee on Foreign Relations that the Senate give its advice and consent to ratification of the Consular Convention with the Union of Soviet Socialist Republics. We believe that the disadvantages of the convention for the United States are sufficiently grave to outweigh the advantages which are claimed for it.

Our concern relates principally to the provisions in the convention under which consular officers and employees of the sending state are given immunity from the criminal jurisdiction of the receiving state. This convention is the first to which the United States has been a party which provides for unlimited exemption from criminal jurisdiction for consular personnel. Previous consular conventions have provided for immunity from criminal jurisdiction for consular personnel with respect only to misdemeanors but not to felonies. We believe that if the provisions regarding immunity had not been included in the convention, the Soviet Union would not have agreed to it and that, in fact, these provisions were a principal Soviet objective. The testimony of witnesses from the Department of State has been contradictory on the question of whether the Soviet Union or the United States first proposed including these immunity provisions in the convention.

In any case, we believe that the extension of immunity to include felonies would open the way to espionage and other forms of subversion on the part of Soviet consular personnel. If this convention is ratified, and if the Soviet Union then establishes a consulate or consulates in the United States, the officers and employees of these consulates would be able to engage in espionage and subversion knowing that they will not be liable to prosecution but only to expulsion.

It is true that the establishment of a Soviet consulate or consulates would mean only a small increase in the number of Soviet officials with immunity from criminal jurisdiction (as of July 1, 1965, there were 249 Soviet officials and 150 dependents who enjoyed diplomatic immunity). We are convinced, however, that there is a predisposition on the part of Soviet officials to engage in espionage and subversive activities, a predisposition which is an important consideration regardless of the numbers involved. In this connection, it is important to recall the testimony of J. Edgar Hoover, Director of the Federal Bureau of Investigation, before a subcommittee of the Committee on Appropriations of the House of Representatives on March 4, 1965. In a statement inserted in the record justifying the appropriations being requested for the Federal Bureau of Investigation, Mr. Hoover said:

"In regard to the Communist-bloc espionage attack against this country, there has been no letup whatsoever. Historically, the Soviet intelligence services have appropriated the great bulk of official representation and diplomatic establishments in other countries as bases from which to carry on their espionage operations. Over the years, the number of such official personnel assigned to the United States has steadily increased."

In testimony relating to this statement during the March 4 hearing Mr. Hoover stated that "our Government is about to allow them [the Soviet Union] to establish consulates in many part of the country which, of course, will make our work more difficult." Mr. Hoover then inserted in the record of the hearing several other brief statements. The first read, in part, as follows:

"The methods used to collect the data sought by the Communist-bloc intelligence services are almost as varied as the types of data which they endeavor to collect. One of their mainstays is the collection of information—classified and otherwise—through espionage operations involving personnel legally assigned to official Soviet and satellite establishments in the United States. The focal points of these operations continue to be the United Nations and the Communist embassies, legations, consulates, and news or commercial agencies in our country. Such gathering of information is conducted by the Communist representatives using the legal cover of their diplomatic or other official status to cloak their spying activities.

"Historically, the Soviet intelligence services have appropriated the great bulk of official positions abroad, primarily using their official representatives and diplomatic establishments in other countries as bases from which to carry on their espionage operations."

A second statement related specifically to the question of new Soviet consulates. It read as follows:

"Long seeking greater official representation in the United States which would be more widely spread over the country, a cherished goal of the Soviet intelligence services was realized when the United States signed an agreement with the Soviet Union on June 1, 1964, providing for the reciprocal establishment of consulates in our respective countries.

"One Soviet intelligence officer in commenting on the agreement spoke of the wonderful opportunity this presented his service and that it would enable the Soviets to enhance their intelligence operations.

"In involving the great bulk of their official personnel in intelligence activity in one way or another, the Soviets utilize to the fullest extent possible any and all official means such as the United Nations, trade delegations, and the like, as transmission belts to carry additional intelligence personnel into this country."

More recently, on July 14, 1965, Mr. Hoover, reviewing the major phases of the operations of the Federal Bureau of Investigation during the past fiscal year, stated:

"The great majority of the 800 Communist-bloc official personnel stationed in the United States, protected by the privilege of diplomatic immunity, have engaged in intelligence assignments and are a dangerous threat to the security of the United States."

We believe that these statements of the chief investigative officer of the United States should be given serious consideration. It is also worth looking at the record of the activities of Soviet officials in the United States. According to information supplied by the Department of State, since 1946, 27 Soviet Embassy and consular officers and personnel in the United States have been arrested or expelled for intelligence activity.

These 27 included personnel assigned to the Soviet Embassy in Washington, the Soviet consulate general in New York (which was closed in 1948), the Soviet mission to the United Nations, and the United Nations Secretariat. In the same period, 13 diplomatic, consular, and international organization officials from Czechoslovakia, Hungary, and Rumania were expelled from the United States for intelligence activities.

There is another grave aspect to these immunity provisions and that is the chain reaction that will be set off if this convention is ratified. The provisions regarding immunity will then apply not only to Soviet consular personnel but may also apply to consular personnel of the 27 other countries with which the United States has consular conventions or agreements which contain a most-favored-nation clause. These 27 countries include 2 other Communist countries: Rumania and Yugoslavia. As a practical matter, as there are no Rumanian consulates in the United States at present, there would not be any immediate increase in the number of Rumanian official personnel enjoying complete immunity from criminal prosecution. If any Rumanian consulates were established in the United States in the future, however, their consular personnel would enjoy such immunity.

We are thus opposed to the convention because we consider the provisions granting unrestricted immunity from criminal jurisdiction to Soviet consular personnel to be unwise. We believe that these immunity provisions will encourage Soviet subversion by placing Soviet consular personnel outside the criminal jurisdiction of the United States. We also believe that it is not in the interests of the United States to extend this immunity to several hundred, perhaps as many as 400, persons which would be the case given the fact that most-favored-nation clauses are found in consular conventions and agreements the United States has with 27 other countries.

FRANK J. LAUSCHE.
BOURKE B. HICKENLOOPER.
JOHN J. WILLIAMS.
KARL E. MUNDT.

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INDIVIDUAL VIEWS OF SENATOR THOMAS J. DODD (DEMOCRAT, CONNECTICUT) ON THE PROPOSED RATIFICATION OF THE CONSULAR CONVENTION WITH THE SOVIET UNION

I wish to express my opposition to the ratification of the Consular Convention With the Soviet Union.

I am opposed to it not because this clause or that clause has been poorly drawn, but on grounds of basic principle.

The signing of the consular convention will in no way serve to improve communications between the Soviet Government and the Government of the United States, because it is not the function of consulates to communicate or to participate in diplomatic conversations.

Nor is there any reason to believe that the opening of several American consulates in the Soviet Union and several Soviet consulates in the United States will encourage the development of friendlier relations between the Soviet and American peoples, or that it will persuade the Soviet leaders to call off the cold war.

On the contrary, it is my conviction that the establishment of Soviet consulates in this country will only serve to provide the Kremlin with an enhanced cold war capability and that it will, in the long run, only fan popular hostility toward the Soviet Union because of the incurable addiction for espionage of all Soviet diplomats.

The record of Soviet diplomatic espionage is so massive and consistent that I think it can properly be taken for granted that every Soviet diplomat and diplomatic employee must be considered a member of the Soviet espionage apparatus and a recruiter for this apparatus.

Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation, has underscored the seriousness of this problem in repeated statements over the years.

In a speech which I made on the floor of the Senate in October of 1962, I listed 17 Soviet nationals who had used their positions at the United Nations for purposes of espionage and who had been obliged to leave the United States when their activities had been exposed. Since that time the number of such cases has grown to 21. In addition to these Soviet nationals who had used their diplomatic status at the United Nations as a cover for espionage against the United States, a total of 12 Soviet nationals attached to the Soviet Embassy in Washington have similarly been obliged to leave the country when their espionage activities were exposed.

I am appending to this statement a summary list of Soviet nationals at the United Nations and Soviet nationals attached to the U.S.S.R. Embassy who have engaged in espionage against the United States.

It has been argued that the Consular Convention With the Soviet Union is in no sense exceptional because it is similar in substance to our consular conventions with other nations.

This statement is not entirely accurate because the provision in the convention which gives consular officers and employees immunity from criminal jurisdiction makes this the first convention which grants such unlimited exemptions to all consular personnel. Senators Lausche, Williams of Delaware, Hickenlooper, and Mundt in the minority views which they jointly presented, have dealt with this matter in considerable detail.

But even if it were true that the convention with the Soviet Union is similar in substance to our consular conventions with other nations, this argument would still ignore the fact that the other nations with whom we have consular conventions are not committed to our destruction, are not seeking to subvert friendly governments all over the world, and are not waging cold war against us.

More than one administration spokesman has made the point that those who oppose our policy in Vietnam for some strange reason fail to comprehend the fundamental nature of Communist tyranny and the nature of Communist aggression.

I, too, feel that the anti-Vietnam demonstrations that have taken place on our campuses reveal an appalling lack of comprehension of the basic facts about communism.

But the fault for this does not lie entirely with our educational system or with the indifference of our citizens to the facts of history.

To a very large degree, I believe that the lack of comprehension displayed by the many honest critics of our Vietnam policy stems from the persistent efforts, under both Democratic and Republican administrations, to gloss over the tyranny of communism, to ignore the Kremlin's persistent anti-American tirades, to minimize its subversive activity in other countries, to grant the Soviet regime respectability, and to encourage the illusory belief that the Soviet regime is just another civilized government whose philosophy happens to be different from ours.

To a large degree, this lack of comprehension has been encouraged by things like Khrushchev's invitation to visit this country, by our willingness to sweep the issue of Hungary under the rug at the United Nations, by muting the criticism of communism on Voice of America programs.

The consular convention which we are now being called upon to ratify is, in my opinion, an error of the same order—an error that blurs the differences between freedom and communism and that makes it easier for the Communist cadres on our campuses to incite the academic community against our policy in Vietnam.

I believe that we have nothing to gain from this consular convention, that it will not, by any stretch of the imagination, serve to bring about a true abatement of tensions between the Soviet Union and the United States, and that it will contribute significantly to the spread of popular befuddlement on the issue of Vietnam and on the cold war in general.

I am loath to oppose the administration on an issue such as this at so critical a period in history. But I would be untrue to my conscience and undeserving of any popular confidence if I were to mute my criticism on this issue in deference to the administration's attitude.

I, therefore, wish to go on record against the ratification of the consular convention and I would urge my colleagues to examine the record closely before they cast their final vote.

LIST OF U.S.S.R. EMBASSY PERSONNEL WHO HAVE BEEN DECLARED PERSONA NON GRATA BECAUSE OF ESPIONAGE ACTIVITY

*Yuri Vasilyevich Novikov*

Novikov entered the United States April 24, 1948, as an attaché of the Soviet Embassy, Washington, D.C. He subsequently held the position of second secretary and from 1950 through July 1952 acted as editor of the official publication of the Soviet Embassy, the Information Bulletin.

In April 12, 1951, Novikov, by meeting a source in Washington, D.C., was identified as the new Soviet principal in an espionage operation which had its origin in Austria in 1949. Novikov, on April 12, 1951, appeared at the designated place on the proper date, at the designated time, and gave the password previously agreed upon between the source and his Soviet espionage superiors in Austria.

The original principals in this operation in Austria were two naturalized citizens, Otto Verber and Kurt L. Ponger, who were brought back to the United States and upon entering guilty pleas, were, on June 8, 1953, sentenced for violation of the espionage statute.

Novikov operated the controlled source in the United States until April 22, 1952, and on 10 occasions sought classified material.

On January 14, 1953, Novikov was declared persona non grata by the Department of State in connection with his espionage activity. He departed the United States on January 19, 1953.

*Igor Aleksandrovich Amosov*

Amosov entered the United States February 17, 1952, as assistant Soviet naval attaché.

Amosov was the third Soviet principal in an intelligence operation directed by the Soviets from their naval attaché's office. He served in this capacity from June 7, 1952, until his departure in February 1954. Targets assigned by Amosov to the controlled source included radar developments, details of the latest cargo ships, manuals reflecting details of the latest electronic developments, and bombsight data. He paid the source a total of $2,000 for his services.

While the operation functioned under Amosov's control, he did not accept any material directly from the source. Amosov furnished instructions to the source in Washington, D.C., and the material was passed in the New York City area with the source following a set procedure of obtaining acknowledgment signals and, thereafter, delivering the material to a designated drop area. Amosov was declared persona non grata by the State Department on February 3, 1954, as a result of his activities in this case and he left the United States on February 7, 1954.

*Aleksandr Petrovich Kovalev*

Kovalev arrived in the United States October 8, 1950, as a second secretary of the Soviet delegation to the United Nations.

For approximately 2 years as assistant Soviet naval attaché in Washington, D.C., he had been operating a controlled source, obtaining from him material of intelligence significance. On April 19, 1952, the assistant Soviet naval attaché told the source that in the future, material obtained was to be microfilmed and the undeveloped film was to be delivered to the Soviets by means of a dead drop located in the New York area rather than through direct delivery to the assistant naval attaché. The source was told to park his car in a designated area in New York City at a designated time and to place a package wrapped in red paper therein so that it could be seen through the rear window in the event material was to be passed. An additional signal by way of marking a telephone directory in a New York restaurant was perfected to indicate to the source that the material delivered to the dead drop was picked up.

A trial run of this arrangement occurred in New York City on April 23, 1952, on which date Kovalev was observed in the immediate vicinity of source's car, which was parked in the designated area and in which was placed a package wrapped in red paper. Thereafter, the source deposited material in the dead drop and on April 24, 1952, Kovalev was observed making the predesignated mark in the telephone directory in the New York restaurant.

Material of intelligence significance was left by the controlled source in the New York dead drop area on October 1 and December 3, 1952, which material was retrieved by the Soviets. On June 7, 1952, the source was given by his Soviet principal in Washington $500 to purchase an electronic device for delivery to the Soviets and an additional $500 in payment for delivery of a microfilm reproduction of portions of a manual dealing with an automatic steering device for ships. The controlled source last heard from his Soviet principal on April 1, 1953, on which date he was told that a meeting scheduled for April 3, 1953, would not be held.

Kovalev was declared persona non grata by the Department of State for his actions in this case on February 3, 1954, and he departed the United States February 10, 1954.

*Leonid Igorovich Pivnev*

Pivnev entered the United States on March 17, 1950, as assistant Soviet air attaché.

On November 2 and 3, 1953, while on a tour throughout the Southwest, Pivnev purchased aerial maps of Tulsa, Okla., and vicinity and Dallas, Tex., and vicinity. Pivnev did not identify himself as a Soviet official when purchasing these maps.

In the spring of 1953, through a Washington businessman, he endeavored to utilize the businessman's address as a mail drop. He explained to the businessman that he would have mail delivered to him at the businessman's address, which mail was to be addressed to a fictitious person and which, upon receipt, was to be delivered by the businessman to him.

On March 24, 1954, he inquired at a Virginia aerial photographic concern as to the possibility of purchasing aerial maps of Chicago, Ill. He instructed the firm to seek such maps and agreed to pay approximately $8,000 for them. On that date he purchased 33 aerial photographs of Washington, D.C., and vicinity. Pivnev, in contacting this firm, identified himself as one "George." He did not indicate his official connection with the Soviet Embassy.

On May 3, 1954, he contacted a Washington, D.C., photographer, introducing himself as a Mr. George Tinney, a representative of a private firm desirous of purchasing aerial photographs of New York City at a scale of 1:20,000 to 1:40,000 feet. Photographs of this type were not commercially available. On May 13, 1954, he agreed to pay the photographer $700 to obtain the photographs. He advanced on that date the sum of $400 as partial payment.

On May 20, 1954, when meeting with the photographer for the purpose of obtaining the photographs, he was accosted by special agents of the Federal Bureau of Investigation on which occasion he identified himself. On May 29, 1954, the Department of State declared Pivnev persona non grata for his action, and he departed June 6, 1954.

*Ivan Aleksandrovich Bubchikov*

Bubchikov entered the United States December 1, 1954, as an assistant Soviet military attaché.

From July 1955 through May 1956, Bubchikov maintained contact with a naturalized American citizen of Russian origin who was employed as a sales engineer. In July 1955 he appeared at the sales engineer's residence

late in the evening and sought his cooperation in securing data concerning jet fuel, atomic submarines, and aeronautical developments. Bubchikov promised the engineer large sums of money; however, even though seemingly important information was furnished to him, he did not fulfill his promise of large payments. During the course of this operation it was featured by clandestine meetings, complex recognition signals, and a variety of "drop areas" in which the source deposited material for the Soviet.

In view of his activities in connection with the engineer, the Department of State, on June 14, 1956, declared Bubchikov persona non grata for engaging "in espionage activities incompatible with his continued presence in this country." He departed the United States June 24, 1956.

*Yuri Pavlovich Krylov*

Krylov entered the United States May 4, 1955, as assistant Soviet military attaché, Washington, D.C.

In April 1956, Krylov was introduced to the manager of a Washington electronics supply house. Through the Washingtonian, who cooperated with the Federal Bureau of Investigation Krylov purchased hard-to-get electronic equipment.

In August of 1955, Krylov contacted an employee of the Atomic Energy Commission and attempted to obtain from him information concerning the technical aspects of nuclear power. In December 1955, he contacted a former commissioner of the Atomic Energy Commission in an effort to develop information concerning atomic energy for space heating. In February 1956, he attempted to purchase 26 unclassified films on peacetime atomic energy.

In February 1956, he endeavored to join the Society of American Military Engineers and to subscribe to the publication "The Military Engineer," which contained information concerning U.S. fortifications.

On January 14, 1957, the Department of State declared Krylov persona non grata as a result of his activities. He departed the United States January 26, 1957.

*Gennadi Fedorovich Mashkantsev*

Mashkantsev served as an employee of the consulate division of the Soviet Embassy, Washington, D.C., handling repatriation matters. He arrived in the United States October 25, 1956.

On March 12, 1957, he appeared at the home of Petr Pirogov, Russian flyer who, with Anatoli Barsov, defected to the United States in Austria in 1948. Barsov redefected to Russia in 1949 and, according to Vladimir Petrov, the former Soviet intelligence officer who defected in Australia, after lengthy interrogation was executed.

Upon visiting Pirogov, Mashkantsev delivered to him a lengthy handwritten letter purportedly from Barsov. The letter petitioned Pirogov to return to the U.S.S.R. Examination of the letter established that it was not in the handwriting of Barsov but was a carefully prepared simulation. As a result, on April 17, 1957, Mashkantsev was declared persona non grata for "improper activities directed toward inducing return to the Soviet Union of persons who have sought asylum in the United States." Mashkantsev departed April 25, 1957.

*Nikolai Ivanovich Kurochkin*

Kurochkin entered the United States, April 4, 1956, as a third secretary of the Soviet Embassy, Washington, D.C.

In the fall of 1956, Charles T. Beaumet, a professional writer, contacted the Soviet Embassy seeking statistics as to hosiery production in the Soviet Union. He met Kurochkin, who supplied the desired statistical data and, after a series of meetings, informed Beaumet that if he would obtain military information to be incorporated in articles Kurochkin was writing for Russian military journals, he would share with him his proceeds from the articles. Thereafter, Beaumet, ultilizing the entree he enjoyed as a reporter, obtained training and field manuals of the U.S. Army which he turned over to Kurochkin. For the various manuals delivered to Kurochkin, Beaumet was paid approximately $450. Included among the manuals sought by Kurochkin were two which were classified. The classified manuals were not delivered to the Soviet.

On June 6, 1958, Kurochkin was declared persona non grata for engaging in highly improper activities incompatible with his diplomatic status. He departed from the United States on June 11, 1958.

*Evgeni Alekseevich Zaostrovtsev*

Zaostrovtsev entered the United States August 2, 1957, as a second secretary of the Soviet Embassy, Washington, D.C.

On February 23, 1958, Zaostrovtsev met a State Department Foreign Service officer in training, at a social function. There followed intensive efforts on the part of Zaostrovtsev to cultivate the State Department employee for intelligence purposes. Between February, 1958, and February 6, 1959, he met with the State Department employee on 15 occasions. He obtained from the State Department employee material concerning the training program of Foreign Service officers and endeavored, without success, to obtain classified documents from State Department files concerning the political and economic affairs in the area of the Government employee's future foreign assignment. He paid the Government employee $150 for information furnished to him.

As a result of his dealings with the State Department employee, the Department of State on May 13, 1959, made an informal request of the Soviet Embassy for Zaostrovtsev's recall. Zaostrovtsev departed the United States on May 15, 1959.

*Gennadiy G. Sevastyanov*

Gennadiy Sevastyanov arrived in the United States in March 1959 to serve as an attaché in the cultural division of the Soviet Embassy in Washington, D.C. On April 6, 1963, an individual whom the Russians identified as "Vladimir Gridnev" arrived in the United States as a temporary employee of the Soviet Embassy. Actually "Gridnev" was not the man's true name. He had been brought to the United States under this pseudonym to assist in the attempted recruitment of his brother, a Soviet defector now employed by the Federal Government, as a Russian spy.

Under the eye of Sevastyanov, "Gridnev" approached his brother outside his brother's home in a suburb of Washington on the night of April 28, 1963. Sevastyanov also stood by while meetings were held between the brothers on April 30 and May 2, 1963; and he attempted to obtain details of the work which "Gridnev's" brother was performing for the Federal Government as well as to recruit him as an espionage agent.

"Gridnev" left the United States early in May 1963. His brother held one other meeting with Sevastyanov—on the night of June 13, 1963. "Gridnev's" brother cooperated fully with the FBI following his initial contact by the Soviets on April 28, and FBI agents made motion pictures, as well as still photographs, of the meetings between the three men on April 30 and May 2.

Sevastynanov was declared persona non grata by the U.S. State Department on July 1, 1963.

*Boris V. Karpovich*

On January 7, 1965, Boris V. Karpovich was declared persona non grata by the U.S. Government for conduct incompatible with his diplomatic duties and he departed the United States on January 12, 1965. (See p. 72 of Mr. Hoover's testimony, March 4, 1965, copy attached.)

*Stefan M. Kirsanov*

On June 2, 1965, Kirsanov was declared persona non grata by the U.S. Department of State for "activities incompatible with his diplomatic status." Kirsanov and his wife departed the United States June 10, 1965, for Russia.

LIST OF SOVIET U.N. REPRESENTATIVES AND SOVIET U.N. EMPLOYEES WHO HAVE ENGAGED IN ESPIONAGE AGAINST THE UNITED STATES

*Vassili Molev*

While attached to the Soviet delegation to the United Nations, in 1953 (handling maintenance, purchase of supplies and similar matters) Vassili Molev met Boris Morros on a date and at a time and place previously designated by Morros' Soviet intelligence superiors in Austria. Molev accepted from Morros a report prepared in New York by Jack Soble and given by Soble to Morros in accordance with instructions from their Soviet superiors. Photographs, both still shots and motion pictures, of this meeting were taken by FBI personnel. Immediately following the arrest of Jack Soble on espionage charges on January 25, 1957, the U.S. Department of State declared Molev persona non grata. Molev at that time was employed (in a similar capacity) by the Soviet Embassy. He left the United States on January 28, 1957, en route to Russia.

*Mikhail Nikolaevich Svirin*

Mikhail Nikolaevich Svirin, a Soviet assigned to the Soviet U.N. delegation from August 1952 to April 1954, was identified by Yuri A. Rastvorov, a former Soviet intelligence officer, as a member of the Ministry of Internal Affairs and a very experienced intelligence officer. Svirin was also identified by Reino Hayhanen a former Soviet intelligence agent. On two occasions in January and February 1953, Svirin was observed in the area where Boris Morros was scheduled to meet with his Soviet superior. Morros subsequently met Vassili Molev on March 3, 1953, at the scheduled meeting place.

*Maksim Grigorievich Martynov*

Maksim Grigorievich Martynov last entered the United States on November 3, 1954, as a member of the Soviet representation to the U.N. Military Staff Committee. In August 1954 a highly placed Army officer in Germany was introduced to a Soviet under clandestine circumstances in the Soviet sector of Berlin. The officer did not discourage the Soviet's approach and meetings in New York were arranged. A code phrase was established for recognition purposes. The New York contact turned out to be Martynov. On two occasions, a special agent of the FBI, made up to resemble the Army officer, met with Martynov. On the second occasion January 15, 1955, FBI agents, with State Department permission, accosted Martynov, who identified himself, but claimed diplomatic immunity. On February 21, 1955, the Department of State declared Martynov persona non grata for the above activity and he departed the United States February 26, 1955.

*Aleksandr Konstantinovich Guryanov*

Aleksandr Konstantinovich Guryanov entered the United States March 26, 1955, as an employee of the Soviet delegation to the U.N. On April 25, 1956, he was declared persona non grata by the U.S. Department of State as a result of his implication in the improper repatriation to the U.S.S.R. of five Soviet seamen who left the United States on April 7, 1956. The seamen were members of the crew of the Soviet tanker *Tuapse* who previously defected to the United States. The Department of State informed the Soviet Government that Guryanov's activities made his presence in the United States no longer desirable and he departed May 9, 1956.

*Boris Fedorovich Gladkov*

Boris Fedorovich Gladkov entered the United States December 15, 1953, as naval

adviser to the Soviet representation in the Military Staff Committee of the UN. In January 1955, Gladkov, at a cocktail party, met a sales engineer for a New York marine engineering firm. He cultivated the sales engineer and held a number of clandestine meetings with him. Through the engineer, on June 14, 1955, he received two unclassified publications dealing with marine boilers. During his meetings with the sales engineer which continued on a regular basis through June 1956, Gladkov furnished the engineer $1,550 for services rendered. On June 22, 1956, the Department of State declared Gladkov persona non grata. He departed July 12, 1956.

*Rostislav E. Shapovalov*

Rostislav E. Shapovalov entered the United States September 27, 1955, as a second secretary of the Soviet delegation to the U.N. On May 7, 14, 17, and 21, 1956, he contacted a Russian emigre in New York and urged him to return to Russia. The emigre, Michael Schatoff, a former officer in the Russian Army, was a classmate of Shapovalov at a New York university. On August 20, 1956, the Department of State declared Shapovalov persona non grata for his activities in attempting to induce Schatoff to return to the Soviet Union. Shapovalov departed the United States September 12, 1956.

*Viktor Ivanovich Petrov*

Viktor Ivanovich Petrov arrived in the United States February 17, 1953, as a translator employed at the U.N. Secretariat. According to the FBI, Petrov, during 1955–56, established contact with an aviation draftsman for the purpose of seeking classified information concerning U.S. military aircraft development. On August 20, 1956, the U.S. representative to the U.N. brought the matter to the attention of the Secretary General, who agreed to dismiss Petrov. Petrov departed the United States on August 23, 1956.

*Konstantin Pavlovich Ekimov*

Konstantin Pavlovich Ekimov entered the United States October 17, 1955, as second secretary of the Soviet delegation to the U.N. Ekimov was accused before the Senate Internal Security Subcommittee of participating in the abduction of Tanya Chwastov, aged 2, and American-born daughter of a Russian refugee. He took part in dockside arrangements which enabled Alexei Chwastov to leave the United States with his infant daughter. This move was against the wishes of the child's mother who remained in the United States. Ekimov was declared persona non grata by the Department of State on October 29, 1956, and he departed the United States on November 30, 1956.

*Vladimir Arsenevich Grusha*

Vladimir Arsenevich Grusha was formerly assigned as first secretary of the Soviet delegation to the U.N. On March 5, 1957, Grusha had a rendezvous with a Ceylonese employee of the U.N. Secretariat, Mr. Dhanapalo Samarasekara, in the latter's automobile, after Mr. Samarasekara had been observed entering the offices of the Ceylonese delegation and extracting certain papers from a file cabinet. Based on information developed by the FBI, the Department of State declared Grusha persona non grata on March 25, 1957, and he departed from the United States on April 10, 1957.

*Kirill Sergeevich Doronkin*

Kirill Sergeevich Doronkin arrived in the United States March 12, 1956, to serve as film editor, radio and visual division of the Department of Public Information, U.N. Secretariat. In October 1958 special agents of the FBI observed a clandestine meeting between Doronkin and a source that had been recruited for the specific purpose of obtaining aerial photographs of the Chicago area. The source reported to the FBI that the package which he turned over to Doronkin at this meeting contained the requested aerial photographs. The U.S. mission to the U.N. delivered a note to the Secretary General of the U.N. on January 15, 1959, requesting Doronkin's dismissal from the U.N. Doronkin's contracted term of employment terminated March 3, 1959, and he was not reemployed by the U.N. He departed from the United States March 11, 1959.

*Vadim Aleksandrovich Kirilyuk*

Vadim Aleksandrovich Kirilyuk arrived in the United States September 11, 1958, as a political affairs officer employed by the Department of Trusteeship and Information for Non-Self-Governing Territories, U.N. Secretariat. During the period from June through September 1959, Kirilyuk met with an American citizen in a clandestine manner on five occasions. On these occasions he requested data concerning cryptographic machines and instructed the American to seek employment with a vital U.S. Government agency. Kirilyuk's meetings with the source on August 28, 1959, and on September 18, 1959, were observed by special agents of the FBI. The Secretary General of the U.N. was informed of Kirilyuk's espionage activity on December 17, 1959. On January 7, 1960, the Soviet delegation to the U.N. was advised of Kirilyuk's activities, whereupon Kirilyuk and his family left the United States on January 10, 1960.

*Igor Y. Melekh*

Igor Y. Melekh, a Soviet national was assigned to the U.N. Secretariat in October 1958. According to the FBI, Melekh asked a New York freelance medical illustrator, Willie Hirsch, to provide intelligence data such as a map of Chicago showing military installations. Melekh and Hirsch were indicted by the Federal grand jury in Chicago on October 27, 1960, and both were placed under arrest by the FBI on the same day. They were charged with three counts including espionage and conspiracy. Melekh claimed diplomatic immunity; however, this was denied by the courts and he was released under $50,000 bond. On March 24, 1961, a U.S. district court ruled that, if Melekh departed from the United States by April 17 and if the Attorney General moved for dismissal of the indictment, the court would dismiss as to both defendants. Melekh left the United States for the Soviet Union on April 8, and the indictments against both Melekh and Hirsch were dismissed on April 11, 1961.

*Yuri A. Mishukov and Yuri V. Zaitsev*

Yuri A. Mishukov was employed as a translator by the U.N. on November 11, 1957. Yuri V. Zaitsev was employed on August 9, 1961, as a U.N. political and security council affairs officer. On September 15, 1962, the FBI disclosed that Mishukov and Zaitsev had established an espionage arrangement with an American citizen and between June and August of this year had paid him $3,000. Two days after the Justice Department made its announcement, the U.N. announced that Mishukov had left for Moscow last July 5 and Zaitsev had done so August 7.

*Eugeni M. Prokhorov and Ivan Y. Vyrodov*

Both Eugeni M. Prokhorov and Ivan Y. Vyrodov were members of the permanent mission of the U.S.S.R. to the U.N. On September 28, Prokhorov and Vyrodov were apprehended by FBI agents in the act of receiving classified information concerning the U.S. Navy from Yic Nelson Cornelius Drummond. They were released after establishing their identity. On September 29 the U.S. delegation to the U.N. demanded that the Soviet delegation expel Prokhorov and Vyrodov.

*Ivan D. Egorov*

On July 2, 1963, FBI agents arrested two persons in New York City and two persons in Washington, D.C., on charges of conspiring to spy for Russia. The pair arrested in New York City were Ivan D. Egorov, an employee of the Office of Personnel, United Nations Secretariat, and his wife, Aleksandra I. Egorova. Charges against these two were dismissed on October 11, 1963, contingent upon their immediate departure from the United States. At the same time, the Soviets released the Reverend Walter Ciszek, a Catholic priest, and Marvin Makinen, a college student, both of whom had been in prison in Russia.

The pair arrested in Washington, D.C., on July 2, 1963, were identified as Robert K. Baltch and Joy Ann Baltch. Actually, these were not their true names.

*Gleb Pavlov, Yuri Romashin, and Vladimir Olenev*

On the night of October 29, 1963, John W. Butenko, an American engineer, was arrested by FBI agents in New Jersey after delivery to Gleb Pavlov of an attaché's case containing detailed documents of military interest. Also arrested was Igor A. Ivanov, an employee of Amtorg Trading Corp., who was accompanying Pavlov.

Yuri Romashin had served in countersurveillance capacity during the clandestine meeting between Pavlov and Butenko on the night of October 29, 1963. Vladimir Olenev had previously accompanied Pavlov during meetings with Butenko. These three men were members of the Soviet mission to the United Nations and were declared persona non grata by the U.S. State Department on October 30, 1963. They departed from the United States on November 1, 1963.

Butenko and Ivanov were convicted on December 2, 1964, on charges stemming from this espionage plot.

Mr. LAUSCHE. Mr. President, in conclusion, we want peaceful coexistence. This Congress has tried to achieve it. We have shown a charitable and eleemosynary attitude toward people all over the world.

It is argued that Russia has let up on its perpetuation of the tensions. Can anyone point out tangible evidence where that lessening has occurred? I would like to hear it. I have tried to find it. I have searched for it. But instead of finding it, every word that comes to me indicates an avowed, unrelenting, eternal purpose to destroy our country.

Mr. President, I wanted to vote for this Consular Convention, but neither my reasoning, nor my intuition, nor the promptings of my soul would permit me to do so. I will vote against the convention.

Mr. SCOTT. Mr. President, I ask unanimous consent that an editorial of the Wall Street Journal, which puts the Soviet-American Consular Convention in proper perspective, be printed in the RECORD.

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

[From the Wall Street Journal, Mar. 14, 1967]

THE WRONG TARGET

The Senate was wise, we think, to reject an amendment intended to cripple the Soviet consular treaty, and it will also be wise to reject further proposed impediments.

The treaty would allow each nation to open consular offices in the other's chief cities, supplementing the embassies in capitals. This would give Americans traveling in the Soviet Union better access to the protections U.S. officials can offer, which is clearly a gain for U.S. citizens.

There has been complaint that Russian consulates in the U.S. would facilitate Soviet espionage. But since we would be trading listening-posts in our open society for listen-

ing-posts in their closed one, the balance would again seem to favor our side.

In other words, here is one treaty which shows a profit for the U.S. Yet some members of the Senate have offered amendments and reservations designed to scuttle the pact. The most notable is a proposal which would bar the treaty's implementation while the Soviets continue to supply arms used against U.S. troops in Vietnam.

It's an approach with a nice patriotic sound, and at first hearing it even has a logical ring. The ring goes off key, however, the moment someone asks just how such a course would advance the best interests of the U.S. Certainly it would not stop the flow of Soviet arms or yield any other benefit we can think of.

The treaty is part of President Johnson's campaign to normalize relations with the European Communist nations. Ultimately, the U.S. must seek to live as normally as possible with these nations despite their alien ideology and the Soviet record of treachery; the alternative is to prepare for a nuclear showdown. Steps toward more normal relations might also have some slight tendency to aggravate splits in the Communist camp.

This "bridge-building" contains manifest dangers. Each part of it must be carefully examined on its merits. The Senate would serve a real purpose in scrutinizing, say, the outer space treaty for any evidence of booby traps.

On the consular treaty, though, the Administration seems to be on solid footing while the pact's foes have their heads in the clouds. It hardly serves the U.S. interest to sabotage a deal in its own advantage.

Mr. HANSEN. Mr. President, I have made two brief comments on the Consular Convention before us and I hesitate to again inflict my views on the Senate. However, there are several points raised in my letters which I feel should be answered on the Senate floor. I wish also to place myself on record as to the reasons for the position I shall take on this convention.

I want to make clear at the outset that as a very junior Member of the U.S. Senate, I am certainly not an expert on foreign policy. This, indeed, is my first involvement in treaty legislation.

I shall express opinions based on the best information obtainable. They will be opinions based on correspondence I have exchanged with the Department of State, numerous telephone conversations with that Department, personal conversations I have had with Secretary Rusk, and certainly on the views of my constituents contained in correspondence delivered by the pound to my Senate office.

My views and opinions are based also on the very excellent speeches which Senators on both sides of the aisle and on both sides of this issue have delivered during the more than 2 years the Consular Convention has been pending before the Senate.

One's attitude toward the Consular Convention must, of necessity, be predicated on certain major premises and assessments. It seems apparent that while the Soviet Union can be expected to continue supporting forces in its ideological corner, Russian leaders are carefully avoiding a major confrontation with the United States.

In a no-holds-barred contest with Red China for leadership of the Communist world, no one should expect Russia to transform her social order for the sake of a Consular Treaty. To predicate all contracts between our two countries entirely on the basis that Russia must first cease being Communist is to close the door on any hope for even limited agreements of mutual benefit.

CHANGING COMMUNISM

Communism violates too dramatically the aspirations of man, the realities of economics and the existence of a Supreme Being, to survive as a system. I believe that we are seeing today in Europe the beginning of the end of Communism, as anything more than a defunct ideology of revolution. The end of the process is many years away, but communism is losing its grip on the millions it once held so tightly in its fist.

I have no doubt that with the passage of time, the Soviet system itself will become less militant and more responsive to the needs of its own people. I think history indicates and contemporary events substantiate the fact that Russian communism will draw inward to save itself. The Soviet Union will come to think of itself as a nation of people and consumers, rather than as the faunt of a rapacious philosophy of international conquest. But that time if far in the future.

As we deliberate this consular convention, we must consider today's world and today's priorities—priorities dictated by the war in Vietnam, the threat of war elsewhere, and the general hostility of communism. These are facts at hand—not theories or inevitabilities in the distance. We must judge effects on the present before we commit ourselves entirely to the hopes of the future.

THE WAR AND RUSSIA'S INTEREST

Some Senators speak of the possibility of talks involving the United States, Moscow, Hanoi, and possibly Peking, as a means of bringing peace to Vietnam.

What evidence is there from any reliable source that the Communist world is less than delighted to have the United States bogged down in a bloody and costly land war in Asia?

Despite its clear reluctance to risk an Armageddon with the United States, there is no question that to most of the Communist world, the United States is the "main enemy," the largest single obstacle between the Communist world and its massive expansion.

Why, then, would the Soviet Union take pity on the United States and honestly seek an end to the war? What would Russia possibly gain by pulling America's chestnuts out of the fires of southeast Asia?

Unless we were to cave in at the conference table and hand South Vietnam over to Hanoi, no future peace would serve communism's interests so well as the present war.

The Soviet Union may be in the process of changing, but today as we discuss this treaty she is still an enemy who has sworn to bury us. Change is far in the future although, as I have said, I think it is coming.

From Russia's standpoint, nothing so good as Vietnam has existed since Korea. No Russians, if we may believe reports, have died in Vietnam.

With a contribution that is but a fraction of America's commitment of men, money, and machines, the Soviet Union is keeping a half-million American troops pinned down in Asia.

With a modest logistics commitment, she is driving a second-rate Asian dictator to naked aggression across the boundaries of a nation that has had sovereignty longer than 43 of the members of the United Nations.

The Soviet Union is fighting a war by proxy against the United States and South Vietnam. In an earlier age, we would have responded in kind. Today we make treaty talk. We ought to remember the admonition of Carl Schurz:

Nothing that is wrong in principle can be right in practice.

The preamble to the consular convention speaks of the signators as seeking to strengthen friendly relations. It is a denial of reality to presume that this treaty will strengthen friendly relations while American boys are being killed with Russian weapons in a war that Russia could stop.

None of us believes that the Soviet Union will stop being Communist for the sake of a treaty with the United States. But there are different brands of communism, not all of which seek actively to control other nations or actively underwrite wars of aggression.

If the people of the Soviet Union wish to live in a Communist society, that is their business. But when they seek to export communism through the use of terror, subversion, sabotage, and open war, then it becomes the legitimate concern of all nations.

CHARGES PRO AND CON

Mr. President, a number of statements and allegations with respect to specific provisions of the treaty have been made on the Senate floor and in the letters that have come to my office. These, I feel, compel a reply.

In my own research on the convention, I have turned to the public record, the Library of Congress, various diplomatic histories of the United States and the Department of State. Despite what research I have done, I am not attempting to represent myself as a foreign policy expert. I am far from it. But I have made a sincere effort to develop a few points which I think are pertinent to our debate. Some of these points would seem to militate for, others against, ratification of the Consular Convention.

It has been alleged on the Senate floor that we are attempting establishment of consulates and the attendant protective covenants for our citizens by treaty rather than by Executive order because the Soviets would need the weight of treaty law in changing their domestic law to allow for early access to incarcerated Americans.

This allegation, I believe, is at variance with the facts.

I cite as reference both the State Department and the Library of Congress, which say, in essence, that Soviet criminal law, as spelled out in the Basic Principles of Criminal Procedure, allows for up to 9 months' isolation of persons under investigation. This is an allowable

maximum. It is designed to give Soviet authorities maximum latitude in isolating the investigated party. But not all of this latitude need be consumed. The Soviet authorities may, at their discretion, grant access at any time, to any person being held in pretrial custody. Access to detained foreigners is less a matter of Soviet law than of Soviet willingness to grant to others the same courtesies, civilities and standards of humane conduct which Soviet nationals can enjoy in almost every Western country.

I might add parenthetically that this comes as a rather interesting commentary on the often-discussed question of legislating morality.

As the State Department pointed out in a letter to me under date of March 9, 1967:

> Since this convention was signed in 1964, we have been granted access to each American who has been held more than a few days.

This small, but significant concession by the Soviet Union comes, I might point out, prior to ratification and the effectuation of the Convention which we here discuss.

It has been alleged that a new treaty is not necessary because of covenants agreed to in 1933 by President Roosevelt and Soviet Foreign Minister Litvinov. I believe that this assertion is at variance with facts, which make the premise tenuous on at least two points.

As I understand the issue, Soviet Foreign Minister Litvinov, in a letter dated November 16, 1933, told President Roosevelt that the Soviet Union was prepared to negotiate a consular convention containing provisions for access to American citizens detained in Russia. The consular convention of that era was to come immediately after establishment of diplomatic relations between the two countries and was to contain provisions analogous to a German-Russia treaty in force at that time. This was fine as far as it went, except that the consular treaty was never negotiated in accord with the Roosevelt-Litvinov agreement.

But even had the agreement of 1933 been consummated, it would have been a moot point. In the German-Russian treaty the access provisions became effective upon the termination of the investigation. According to the State Department, both the Soviet Union and Germany accepted this interpretation of the agreement. The Germans saw their people after they had been investigated, which could take up to 9 months.

The treaty before us specifies that U.S. officials will be notified immediately; that is, within 1 to 3 days, when an American citizen is arrested or detained by the U.S.S.R. It stipulates that these officials will have rights of visitation without delay, within 2 to 4 days, and on a continuing basis thereafter.

It has been alleged that this convention will, or could, compromise the rightful position of the United States in opposition to recognition of the forced incorporation of the Baltic States into the Soviet Union. Much as I sympathize with the plight of the brave people of Latvia, Lithuania, and Estonia, I do not believe that their fears in this area are justified.

The Department of State has assured me in a letter, which I shall ask to have printed in its entirety, that—

> As a practical matter, if the Soviet Union were divided into two or more consulate districts, the Soviets would regard the Baltic States as belonging in one of the districts. We would not wish to try to exclude the Baltic States from a consular district, for we would wish to continue to attempt to protect Americans who might be arrested there, as we do now through the Soviet Ministry of Foreign Affairs. In any case, this or any other arrangement we might contemplate, would have no bearing on our policy of nonrecognition of the forcible annexation of the Baltic States by the Soviet Government. We have no plans to establish any consulates in the Baltic States.

I have been given other oral assurances that the U.S. Government has absolutely no intention of altering its position of nonrecognition of the enslavemet of the Baltic States. Nothing in the consular convention would change this policy, although as a practical matter, the American Government might make efforts to represent American citizens incarcerated by Soviet authorities in the Baltic States.

It has been alleged that provisions of the treaty favor the Soviet Union over the United States, particularly with respect to immunity from arrest, which would be enjoyed by consular officials. This again, as I am sure no Senator would disagree, is at variance with the facts. All provisions of the treaty are reciprocal. As a practical matter, however, the United States will stand to gain more than the Soviet Union through the provisions of access to its citizens.

It has been alleged that the United States would be in a position of having to grant immunity upon request to consular officials from any country having a most-favored-nation clause in a treaty with the United States. Again, I quote the Department of State:

> Countries having most favored nations clauses in treaties with the United States would be able to request immunities with consular offices only if they are willing to grant us reciprocal rights. Therefore, any step in this direction would be on the basis of mutual agreement. Further, if for some reason, we were unwilling to grant these immunities, we would insist on renegotiation of the treaty with the country concerned or if necessary we could abbrogate the most favored nations clause in this treaty.

The letter from which I quoted goes on to make the point that Yugoslavia is the only Communist country which has consulates here and with which we have a treaty containing the most-favored-nation clause. Yugoslavia has 13 consular officials in the United States and there is no indication that the Yugoslavs would be at all interested in entering into a mutual immunity arrangement. But even if they did, their consular people are known and identified by the FBI. They would be only a part of nearly 10,000 diplomatic people in the United States already enjoying full immunity.

For the record, Mr. President, I ask unanimous consent in this context that there be printed at the conclusion of my remarks, a paper listing the nations with which we have most-favored-nation agreements, their total consular personnel, and other data.

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

(See exhibit 1.)

Mr. HANSEN. Mr. President, it has been alleged, particularly in a cleverly executed, but misleading comic strip distributed by Liberty Lobby, that the consular convention "clearly provides for the opening of consulates." The article cited as the authority for this statement is article II, but if the gentlemen of Liberty Lobby would again read the treaty they would find that this article contains no such provision. Nor does any other in the treaty. To quote the State Department again:

> The convention does not authorize, propose, suggest, provide for or require the opening of a single consulate in the USSR or a single Soviet Consulate in the US. It does not permit the Soviets to send a single extra person to this country, nor does it let us send anyone to the USSR.

Consulates, if and when there are any, will be the subject of separate negotiation.

It has been alleged, particularly in correspondence, that there is something immoral about American citizens wishing to travel to the Soviet Union. Implicit in this allegation is the inference that the travelers are either less patriotic than those who stay at home, that they are insipid enough to be seduced by the Soviet system, or that they are pink enough to defect. This is unvarnished nonsense.

I have lived in the pleasant company of American citizens for 54 years, and I have a high regard for their patriotism, their motivation, and above all, their intellectual curiosity. I also regard them as the finest salespeople in the world, not only in the context of the economic system which is emulated in every free country, but as salesmen of their ideas and their beliefs; in selling their God and their ideals; and in selling Americanism.

I do not fear the effects that will flow from American travel to the Soviet Union, in terms of ideas or exposure.

And, conversely, Mr. President, I do not fear the effect travel in the United States will have on the Soviet tourist. I have confidence in America's ability to proselytize "by osmosis"—and by that, I mean to impress positively and constructively those from other lands who visit her shores.

Americans cannot fully appreciate the spiritual experience of an Eastern European who stands for the first time on American soil. To be able, for the first time in his life, to say what he thinks, without fear of imprisonment; to be able to take any job he is capable of performing and to leave that job at his option; to enjoy the right of privacy in thought and opinion. This is what freedom—by American definition—means. I am not fearful in the least of its wondrous effect upon the traveler who first experiences it on American soil.

It has been alleged on the Senate floor that the convention is a license to spy,

favoring the Soviet Union. I think this hyperbole is certainly unfair to our own intelligence people. It casts doubt upon the loyalty and integrity of those in government who, rightly or wrongly, as history may determine, see in this treaty an effort toward giving us a world in which we may live in peace and freedom.

It also disregards the obvious fact that overt espionage is a double-edged sword. I think it fair to assume that our consular officials could learn much about life in that broad expanse of Russia beyond the environs of Moscow. They are a full match for the Russians.

Consider that our open society, believing that truth and information is our best protection, prints more of its vital information than most nations secure under lock and key.

I am informed by those who have had some experience in the intelligence business that deep agents, which Russia certainly has here, and which I hope we have over there, do not work out of embassies or consulates.

The point has been made in Senate discussion that the immunity from arrest provisions of the consular treaty go too far. First, if we were to accept the premise—which I do not—that ratification at this time is in our national interest, it would follow that we do not wish to subject those staffing our consulates to the threat of unwarranted seizure, or incarceration. I would want them to have all possible protection.

Second, as has been pointed out also, both the British and Japanese Governments have negotiated consular conventions with the Soviet Union, with immunity provisions going beyond those in the United States-U.S.S.R. Consular Convention. The provisions of the United States-U.S.S.R. agreement are no longer entirely unique.

HAD HOPED TO SUPPORT TREATY

At one point, Mr. President, I had hoped to be able to support this convention. There are strong and convincing arguments for it. But for the war in Vietnam, I believe I would have supported it.

I find little in the language or provisions of this convention to which I can object. But to bring this convention before the Senate and the American people at what must be the most inopportune time in our history defies logic and reason. Beyond the unfortunate choice of timing, my objections to this treaty stem from the effect that it could have on trade between our two countries, and the effect that this trade could have on Russia's ability to wage war in Vietnam.

In this context, I have written Secretary of State Rusk to ask that he reject the proposed loan of American dollars for construction of an automobile plant in the Soviet Union. This loan for some $50 million would provide sophisticated machine tools that could be used in making cars—or military vehicle components. I intend to have more to say on this matter at a later date. But for the time being, I ask unanimous consent that my letter to Secretary Rusk and his reply be printed in the RECORD at the conclusion of my remarks.

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

(See exhibits 2 and 3.)

Mr. HANSEN. Mr. President, it is also worth considering that coming in wartime, this convention will deal a powerful psychological blow to our fighting men and allies in Vietnam. It will indicate to the so-called third world, whose leaders have not shown the capacity for sophisticated comprehension of big-power diplomacy, that the United States regards itself as being at peace and at war with the same power at the same time. This is an anomoly the delicacy of which will be understood in few capitals.

Were our confrontation with the current pace setter of international communism confined to the rhetorical, commercial, and theoretical arena, I could see definite advantages to the consular convention. But the area today is neither theoretical nor tranquil. It is bloody, costly war, and Russia has the ability to stop the war—if she genuinely desired the friendly relations alluded to in the preamble to this convention.

As I asserted on the Senate floor on March 13:

> I appreciate the importance of better understanding among the nations of the world. I think that were it not for the fact that we are today involved in this conflict, there is every argument and every reason, and there should be every desire on our part, to enter into this sort of arrangement; but this is not the time. The priorities are set by the situation in Southeast Asia.

Mr. President, the great international question is not one of "better understanding" between ourselves and Russia. They understand us only too well.

The questions which divide the Soviet Union and the United States are crucial as any in history. The issues are not just aid and trade; or economic competition; they are the most fundamental questions of peace and war; of aggression and containment. They are questions of the importance of the human being; of the relationship of the government to the governed; of freedom and captivity; and of the existence of a Supreme Being in our universe.

These differences have built an unbridgeable chasm of action and philosophy between international communism and American democracy. No consular convention can, or should be able to, erase these differences to bridge this chasm.

EXHIBIT 1

*List of States having Most-Favored-Nation Provisions in Agreements with the United States:*

| | |
|---|---|
| Argentina | Latvia |
| Austria | Liberia |
| Belgium | Mexico |
| Bolivia | Morocco |
| Colombia | Nepal |
| Costa Rica | Norway |
| Cuba | Paraguay |
| Denmark | Philippines |
| Estonia | Rumania |
| Ethiopia | Saudi Arabia |
| Finland | Spain |
| France | Sweden |
| Germany | Switzerland |
| Greece | Thailand |
| Honduras | Yemen |
| Iran | Yugoslavia |
| Ireland | Zanzibar |
| Italy | |

*Possible most-favored-nation coverage of States with consular establishments in the United States*

| Country | Total consular personnel | Possible most-favored-nation coverage based upon American Embassy estimates |
|---|---|---|
| Argentina | 18 | |
| Austria | 3 | 3 |
| Belgium | 15 | 15 |
| Bolivia | 3 | |
| Colombia | 33 | |
| Costa Rica | 9 | 9 |
| Denmark | 16 | |
| Ethiopia | 0 | |
| Finland | 7 | |
| France | 44 | |
| Germany | 41 | |
| Greece | 9 | |
| Honduras | 10 | 10 |
| Iran | 15 | 15 |
| Ireland | 30 | 30 |
| Italy | 151 | 151 |
| Liberia | 5 | 5 |
| Mexico | 58 | |
| Norway | 17 | |
| Paraguay | 2 | 2 |
| Philippines | 28 | 28 |
| Rumania | 0 | |
| Spain | 14 | |
| Sweden | 15 | |
| Switzerland | 22 | 22 |
| Thailand | 0 | |
| Yugoslavia | 13 | |
| Total | 577 | 290 |

EXHIBIT 2

MARCH 7, 1967.

Hon. DEAN RUSK,
*Secretary of State,*
*Washington, D.C.*

DEAR MR. SECRETARY: The purpose of this letter is to request that you review, reconsider and reject the proposed U.S. government loan to the Institute Mobilaire Italiano, which would underwrite, through the Export-Import Bank, the sale of some $50 million in machine tools to the Soviet Union.

I appreciate that the Administration wishes to aid Communist countries in moving their economies away from the military sphere and toward a more consumer-oriented and peaceful emphasis; however, I think the United States is picking a rather poor time in history in which to strengthen the economy of a nation that is the chief supplier of another Communist nation with which we are at war.

In view of the massive Soviet aid being poured into North Vietnam—aid which is the backbone of Hanoi's ability to continue a bloody and costly war—I find it impossible to justify, politically or otherwise, the commitment of American tax dollars to helping the Soviet Union; particularly when one cause of the USSR's inability to produce motor vehicles for its own use is the large numbers of trucks it is manufacturing and shipping to North Vietnam. As you know, the Soviet Union is supplying the trucks and troop carriers which our airmen are being called upon daily to destroy, often at great personal risk. How, in a time of war, can aid to an enemy be justified or rationalized?

I think I speak not only for myself, but for a good many Americans when I venture the opinion that American subsidization of a nation which we are fighting by proxy in Vietnam is somewhat analogous to aiding Nazi Germany during World War II—the main difference being that Hitler fought the United States openly and directly. The Soviet Union today has others engaged in combat in her behalf.

Even assuming that the automobile plant to be built in the Soviet Union by the Fiat Company of Italy would be primarily for the production of peaceful goods, it is true that by strengthening the Soviet economy, we would still be contributing to her capac-

ity to supply the Communist regime of North Vietnam.

I am not opposed to the concept of building bridges between East and West, so long as those bridges are built in a time of peace for purposes of peace, and are not bridges across which the materiel of war flows from the warehouse of our enemy to his battlefield.

I urge the proposed loan through the Export-Import Bank be reconsidered so that the United States will not be put in the unconscionable position of subsidizing the economy of a nation which is contributing directly to the continuation of a terribly costly war in Southeast Asia.

Sincerely yours,

CLIFFORD P. HANSEN,
*U.S. Senator.*

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EXHIBIT 3

DEPARTMENT OF STATE,
*Washington, March 9, 1967.*

Hon. CLIFFORD P. HANSEN,
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR HANSEN: Thank you for your letter of February 28, 1967, to Ambassador MacArthur concerning the US-USSR Consular Convention. The questions which you raise go to the heart of several important issues.

First you asked whether Soviet law specifically forbids access to an arrested person until the conclusion of the preliminary investigation or whether Soviet authorities have discretion in this matter. Soviet criminal law does not deal with the question of access to arrested persons in general terms. There are no guarantees that arrested persons can see or talk to anyone while the preliminary investigation of the alleged crime is in course, and in practice Soviet citizens are held incommunicado during this period which may extend as long as nine months. Under Article 47 of the Code of Criminal Procedure of the Russian Soviet Federated Socialist Republic, which is the model procedural code for the other republics of the USSR, defense counsel is permitted to participate in a case "from the moment the accused is informed of the completion of the preliminary investigation."

Soviet practice in dealing with American citizens has varied. We were never permitted access to Professor Barghoorn prior to his expulsion from the Soviet Union. Likewise we were never granted access to Gary Powers in the 21 months he was held in jail or to Lieutenants McKone and Olmstead after their RB–47 was shot down over international waters. On the other hand, *since this Convention was signed in 1964 we have been granted access to each American who has been held more than a few days.* Thus Soviet practice appears to have improved since the Consular Convention was negotiated, but in none of these cases has the notification or access been as prompt and as frequent as the treaty provides.

As you point out in your letter the President has the power to exchange consulates with the USSR without a treaty. But simple establishment of consulates would not have any effect on our rights to notification and access to American citizens in the Soviet Union. For this reason we believe that a consular treaty is required. The existence of such a bilateral undertaking, containing specific assurances on access and notification, would prevent the Soviets from saying to us, as they have in the past, that their own law *or procedure* prevents their granting prompt notification and access rights

The second question you ask concerns the amount of money spent per capita by the 18,000 Americans who travel to the Soviet Union each year and the 900 Soviet citizens who visit this country. We have no reliable figures for either category of traveler. I would estimate that the typical American traveler to the Soviet Union would spend 4 to 5 days in Moscow and Leningrad and about $300 exclusive of transportation to and from the USSR. Most Soviet citizens going abroad are permitted by the Soviet Government to obtain only about $100 in foreign exchange. Therefore, no Soviet visitor to this country could legally bring more than $100 here. The rest of their expenses would presumably be paid by relatives in the US. Arrangements for covering the expenses of Soviet exchange visitors in the US vary. In some cases their living expenses here are paid by American sponsors and the living expenses of corresponding American exchange visitors in the Soviet Union are handled by Soviet sponsors. In other cases, the sending state covers all the expenses of its exchange visitors, which of course are usually considerably in excess of $100.

Third, you ask what our position is regarding the reciprocal establishment of consulates with the USSR while the war in Vietnam continues. There are no formal proposals or plans pending for the opening of a US consulate in the USSR or a Soviet consulate in the US. The ratification of this treaty would not automatically lead to the separate negotiations for the reciprocal opening of consulates. Secretary Rusk has undertaken to consult the Senate Foreign Relations Committee and other interested Senators before proposing any such negotiations to the Soviet Government. Obviously, one or the major factors which Secretary Rusk—and, presumably, the Senators consulted—would take into account in considering the exchange of consulates would be the international environment, including the situation in Vietnam.

Fourth, you ask whether the US would accept the demarcation of a consular district which include any or all the Baltic states and whether we plan to establish American consulates in these countries. As a practical matter if the Soviet Union were divided into two or more consular districts, the Soviets would regard the Baltic states as belonging in one of the districts. We would not wish to try to exclude the Baltic states from a consular district for we would wish to continue to attempt to protect Americans who might be arrested there, as we do now through the Soviet Ministry of Foreign Affairs. In any case, this or any other arrangement we might contemplate would have no bearing on our policy of non-recognition of the forcible annexation of the Baltic states by the Soviet Government. As for the question of establishing consulates, the most which we can foresee would be the establishment of one American consulate, probably in Leningrad. We have no plans to establish any consulates in the Baltic states.

Fifth, you asked whether the United States would have to grant immunity unilaterally to consular officers from countries having most favored nation clauses in consular treaties with the US on their request. Specifically you ask about the case of Yugoslavia. Countries having most favored nation clauses in treaties with the United States would be able to request immunities for their consular officers only if they are willing to grant us reciprocal rights. Therefore any step in this direction would be on the basis of mutual agreement. Further, if for some reason we were unwilling to grant these immunities we could insist on renegotiation of the treaty with the country concerned, or if necessary we could abrogate the most favored nation clause in this treaty. As a practical matter we would not contemplate such action.

Yugoslavia is the only communist country which has consulates in this country and with which we have a consular treaty containing a most favored nation clause. We have asked our Embassy in Belgrade whether or not they believe that the Yugoslavs would be interested in seeking immunities for their consular officers through the operations of the most favored nation clauses. The Embassy estimates that Yugoslavia would not be interested in such action as they would be unwilling to grant similar provisions to employees of our consulate in Yugoslavia. The Yugoslav Government has not been consulted on this matter.

Finally, you ask about the Department's policy with respect to the punishment of nationals of communist countries who do not possess diplomatic immunity. Such cases, of course, are within the jurisdiction of State or Federal law enforcement agencies, depending upon the nature of the crime in question. In the relatively few cases which have involved some aspect of foreign policy or international relations, the Department of State customarily consults with the other agencies involved and we have sought to provide advice which would advance the national interest. This has been true whether the foreign national involved comes from a communist country or a non-communist country.

Please let me know if I can provide you with further information on any of these points. I hope you will be able to support this important treaty.

Sincerely,

WILLIAM B. MACOMBER, Jr.,
*Assistant Secretary for Congressional Relations.*

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, with the time to be taken out on this side.

The PRESIDING OFFICER. Without objection, it is so ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MANSFIELD. Mr. President, I yield 20 minutes to the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN].

The PRESIDING OFFICER. The Senator from Illinois is recognized for 20 minutes.

Mr. DIRKSEN. Mr. President, from the day I reached Washington, 34 years ago this month, I have manifested an interest in Soviet affairs and activities.

It was in November of that year that Franklin D. Roosevelt brought about the recognition of the Soviet Union and a resumption of diplomatic relations with that country.

The ink on that document was scarcely dry before infiltration and subversion began. Nor have my suspicions or doubts concerning Soviet purposes and objectives been appreciably allayed.

Through the years, I have done my full share in assailing Soviet efforts to undermine and weaken our free enterprise system.

However, in a third of a century, there have been changes and developments. Both nations have grown toward a population of 200 million. Both nations have moved forward in science, in technology, in military strength, in modern weaponry, in diplomatic skill, in the use of nuclear power, and in industrial might.

Both nations are members of the United Nations. Both nations hold permanent membership on the Security Council.

One has pioneered the North Atlantic Treaty Organization and the other the Warsaw Pact.

Both participated in World War II. Both sat at the peace table when the peace treaties with Austria and Germany were signed.

Since that time, there have been 21 years of friction, suspicion, and retaliation.

Suppose that in this nuclear age, friction generates fire and conflict ensues? Both would be armed with missiles, high-speed fighters and bombers, and the most lethal weapons their scientists and technicians could devise.

The end result would be ghastly. Neither would win. Neither could win. Only the Four Horsemen of the Apocalypse can win—especially the Horseman on the pale horse, for he is the Horseman of Death.

What, then, is the most sacred of the two most powerful nations on earth?

What is their reciprocal duty—theirs and ours? Surely, we have a duty, when an opportunity presents itself, to do what can be honorably done to dissipate the frictions which have plagued the relations of these two nations and to pursue a viable pattern of conduct which may prove, not only mutually beneficial to both, but to the peoples of the entire world.

Before committing myself to advise and consent to the pending treaty without amendment or reservation, I went back to examine the documents of 1933 which became the basis for our recognition of the Soviet Union.

I reexamined the reports of the House Committee on Un-American Activities, even to the days when it was best known as the Dies committee, and when Martin Dies of Texas fashioned for himself a national reputation as its chairman.

I reexamined the testimony of J. Edgar Hoover before the House Appropriations Committee.

I reexamined all of the Hoover letters, including the last one, of February 8, 1967.

I carried on a steady flow of correspondence with the State Department to secure clarification on a number of matters.

I had the Senate Legislative Counsel prepare an extensive memorandum on amendments and reservations and their effect.

I reread the House report issued in the 82d Congress, second session, Report No. 1229, released on December 30, 1951, and styled "The Shameful Years—30 Years of Soviet Espionage in the United States," a 70-page summation of what happened in that period.

I went back to reread J. Edgar Hoover's book, "Masters of Deceit."

I reexamined the staff study made by the Internal Security Subcommittee of the Senate Committee on the Judiciary in the second session of the 88th Congress, at a time when I was a member of the Internal Security Subcommittee, and I am still a member of that subcommittee.

And, finally, I endeavored to read every current article or column on the Consular Treaty which came to my attention.

In all this, I was not unaware of the campaign being carried on to defeat the treaty. It recalled earlier baptisms of fire which showered the Congress. The first was in the days prior to our entry into World War II, when the beleaguered Allies sought weapons and ships from us. The cry went up, "Cash and carry"—"Cash on the barrelhead." One counted those post cards and letters not in the thousands, but in the hundreds of thousands.

I remember when, under the foreign aid program, we earmarked 375 training planes for Tito. On that issue I was excoriated, hanged, drawn, and quartered because I took up the cudgels for President Eisenhower.

These misguided baptisms are not new; they are a test of one's perspective.

One of the tragic things about this treaty is the misconceptions that have developed.

It was alleged that the Soviet Union was pushing for this treaty. If anything, we were, and we are, the pushers. In 1959, Vice President Nixon suggested it to Deputy Prime Minister Koslov in Moscow, and the Secretary of State, the late, lamented Christian Herter, was urging it on Gromyko.

It was, and is, alleged that it can be done without a treaty. That is only partially true. The President, without resort to Congress, can negotiate consular conventions, but not when they contain an immunity clause.

It is alleged that the Soviet Union will scatter consulates all over the United States. It cannot do so without our permission. The treaty does not even authorize consulates. It only provides the ground rules under which consulates can be established, and they have to be negotiated later.

It is said that it will flood the United States with spies. In his letter to the President on February 8, J. Edgar Hoover anticipates no difficulty in keeping them under surveillance, and then adds, "even without additional appropriations."

And somehow it is forgotten that we can denounce the treaty in 6 months if there should be violations and abuses.

It is said also that similar immunities must be extended to 33 nations under the most-favored-nation clause. That is true, and it is also true that these nations have already been canvassed. Eleven of the thirty-three expressed some interest. Nine of them are in Latin America. Only two are Iron Curtain countries.

Mr. President, I ask, if consulates were so effective as spy nests, why did the Soviet Union abandon its consulates prior to 1948—one in San Francisco, one in Los Angeles, and one in New York City?

It is said that American nationals, if arrested in the Soviet Union, already have access to an Embassy, and that a consulate established by Presidential order would suffice. On November 16, 1933, Maxim Litvinov did, unilaterally, offer this protection, since it was contained in a treaty with Germany negotiated on October 12, 1925. When World War II came, diplomatic relations were severed. New treaties were negotiated with Germany in 1958, which contained no provision for access to our nationals. Nor are there any U.S.S.R.-U.S. treaties now in effect to which the so-called access provision could attach.

While the Litvinov offer has never been formally abrogated, the offer, according to Litvinov's letter, was linked to the expectation that the United States and the U.S.S.R. would "immediately" negotiate a consular convention on this subject. Frankly, this was never done. One of the purposes of this treaty is to establish ground rules for just such a negotiation when American nationals are arrested or imprisoned in the Soviet Union. In the absence of such a provision, American nationals get the same treatment which is accorded to Soviet citizens.

Much is made of the espionage issue. Is there any major nation on earth, be it the U.S.S.R., the United States, Great Britain, France, Japan, Germany, or China, which does not carry on intelligence activities of some kind? I state parenthetically that after World War I came to an end, I found myself suddenly assigned to the second division of the General Staff of the U.S. Army. It was formally known as G2–B, and its work was intelligence. I did that intelligence duty in Germany, sometimes in uniform and sometimes in plain clothes. I have some concept of what intelligence activities are, not only as they pertain to our country, but to other countries, as well. These are but some of the misconceptions which have victimized the thinking of many people.

But, Mr. President, there is one more aspect of the whole matter to be considered, and I deem it to be quite overriding. Every 365 days, about 2 million young Americans march up the slope of time and become 18 years of age. Under the proposed changes in the Draft Act, they must register. Farther down on that slope are other millions of American youths who are also marching to the crest of the hill, to become the custodians of this land in their time. But they first march through that period of military vulnerability, if qualified, to become our security protection.

Suppose the frictions between the two great world powers continue and end in confrontation. What can we say that we really did to diminish this danger? What little thing can we say we accomplished to promote better understanding?

Every year, more and more Americans will journey to the Soviet Union. Last year the number reached about 18,000. Whenever one is arrested and held for an unreasonable period without benefit of the counsel of his own countrymen, there develops an emotional binge which can only widen the chasm of misunderstanding, and generate malice and hate. How long does this fractious ferment continue? To be sure, a consular treaty is such a small step toward ameliorating this condition, but it is at least a step. An ancient Japanese proverb says:

A journey of 1,000 miles begins with a single step.

Speaking for myself, I would want to leave some little step on the record to show that my vision was not entirely obscured by the sins, excesses, and outrages of the past. I prefer to face a future where an iridescent sun is just rising, not setting, and where there is a hope of better understanding.

I remember always, Mr. President, Solomon's entreaty to the Lord. He asked for only one thing. He said:

Give thy servant an understanding heart.

Fifty years ago, I was marching up time's slope, only to be whisked to a foreign land in uniform, on the western front in World War I. Twenty-five, or nearly 25 years ago, a son-in-law, who is a Member of this body today, came up that same slope, to journey to the unstilled waters of the Pacific in a PT squadron. Five years hence, Mr. President, a grandson who is now marching up the slope will be registering under the new concept of selective service. If I am still here, what can I say I actually did to dissipate the ferment, to dispel the friction, and to promote better understanding?

This treaty, Mr. President, may never materialize our hopes, but it could be a first step in the right direction; and for that reason, when the roll is intoned, I propose to advise and consent to this treaty.

The PRESIDING OFFICER. Who yields time?

Mr. MUNDT. Mr. President, I do not see on the floor at the moment either of two Senators who indicated that they might or might not want some time in the concluding minutes of this debate. I suppose the best that I can do is to suggest the absence of a quorum temporarily, and take it out of my time; and then, if we have any time remaining, if they wish to say something, it can be done.

Mr. MANSFIELD. Mr. President, does the Senator wish to make further comments himself?

Mr. MUNDT. Not if any other Senator wishes to speak.

Mr. MANSFIELD. If he does, I would like to proceed for 2 minutes, and then yield the last 2 minutes to him, and then proceed to a vote.

Mr. MUNDT. All right; we can check, if the Senator cares to do that. The Senator is entitled to finish the debate, but if he wishes to do that, I can make a telephone call while he is speaking. I do feel obligated to check with the offices of the two Senators who have indicated they may wish to speak.

Mr. MANSFIELD. Mr. President, how many minutes do I have remaining?

The PRESIDING OFFICER. There are 7 minutes remaining on each side.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, the time to come out of both sides.

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.

Who yields time?

Mr. MUNDT. Mr. President, I yield myself 2 minutes. I do not believe there will be any further requests for time on this side. If not, at the end of 2 minutes I shall be happy to yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

Mr. MUNDT. Mr. President, the time for debating the issues of this monumental decision is now over, and each of us must face up to his responsibilities according to the dictates of his own conscience. All I ask and hope is that each Senator, after prayerful consideration, will vote his convictions, not on the basis of any pressures or coercions, but rather on the basis of the dictates of his individual conscience. I certainly respect the right and the judgment of any Senator to vote in any way on an issue upon which we are called to legislate.

I hope, too, that our vote will be cast in each case after a serious analysis of all the available information, of all the facts in this lengthy record, and of all the attendant wartime circumstances, and that it will be based on the result of that analysis, and not on any second-hand secrets or vague promises which Senators may have heard during the course of the discussion.

Mr. President, those of us opposed to the ratification of this treaty are prepared to rest our case in the hope that whatever verdict the Senate now writes into the pages of history will be in the best interests of the United States.

Mr. MANSFIELD. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Montana is recognized for 2 minutes.

Mr. MANSFIELD. Mr. President, there is very little that could be added to what the distinguished minority leader has had to say in his analysis of the convention now pending before this body.

Relative to the debate, while emotions have been aroused from time to time, I would say that the debate has been held on a good level. Side issues have been brought in, and great amounts of mail have been received by those for and against the convention.

All of the letters from the Secretary of State have been read to the Senate. All of the arguments pro and con have been made in this body. All of the amendments, reservations, and understandings have been considered, voted on, and a decision has been reached.

Now, in the idiom of our time, the "crunch" has come, and each Senator must, as we say in my part of the country, "Call them as he sees them."

Now it is up to us to vote as our conscience dictates, to use our own best judgment, and to exercise our responsibilities as Senators of the United States.

I will vote for this treaty because it is an aboveboard proposal made initially by a great President and carried forward by his successors.

I will vote for this treaty because it is, I repeat, in the best interests of the United States, and it is in the best interest of the U.S. citizens who travel in the Soviet Union.

Our country and our people are entitled to this consideration in this day and these times.

I urge the Senate to do this by ratifying the convention now before us.

Mr. DIRKSEN. Mr. President, before we proceed to vote, I would like to direct the attention of the Senate to the fact that today is the natal anniversary of the distinguished majority leader.

On the Old Sod on this day they would say: "Up the O'Mansfields." [Applause.]

Mr. MANSFIELD. Mr. President, I yield back the remainder of my time, and I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MUNDT. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is, will the Senate advise and consent to the resolution of ratification? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SMATHERS (when his name was called). On this vote I have a pair with the distinguished junior Senator from Louisiana [Mr. LONG]. If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withhold my vote.

Mr. BYRD of West Virginia (when his name was called). On this vote I have a live pair with the Senator from Idaho [Mr. CHURCH] and the Senator from Maryland [Mr. BREWSTER]. If they were present and voting, they would vote "yea." Were I permitted to vote, I would vote "nay." I therefore withhold my vote.

Mr. MUNDT. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. MUNDT. I did not hear the names of the two Senators who paired with the Senator from Florida.

The VICE PRESIDENT. Will the Senator restate his inquiry?

Mr. MUNDT. Because of the confusion in the Chamber, I did not hear the names of the two Senators involved in the pair with the Senator from Florida. It takes two on one side and one on the other to effectuate pair in a treatymaking process. I am sure that both Senators were mentioned, but I did not hear their names mentioned for the record.

The VICE PRESIDENT. The Senator from South Dakota has raised a valid point.

Under the precedent of the Senate, in a vote on a treaty, a pair requires two Senators for to one against. In that instance, the pair of the Senator from Florida with the Senator from Louisiana would not be valid.

Mr. SMATHERS. I did not understand the ruling of the Vice President.

The VICE PRESIDENT. The statement of the Vice President is not in the nature of a ruling, but a recitation of a precedent with respect to treaties, that where there are pairs, because the requirement of the Constitution is a two-thirds majority of those present and voting, the pair in the affirmative must have two votes, compared with one for the negative.

Mr. SMATHERS. In that case, I vote "yea."

The VICE PRESIDENT. The Senator votes "yea."

The assistant legislative clerk concluded the call of the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Idaho [Mr. CHURCH] is absent on official business.

I also announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Nevada [Mr. CANNON], and the Senator from Louisiana [Mr. LONG] are necessarily absent.

I further announce that, if present and voting, the Senator from Nevada [Mr. CANNON] and the Senator from Louisiana [Mr. LONG] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Massachusetts [Mr. BROOKE] is absent on official business and, if present and voting, would vote "yea."

The yeas and nays resulted—yeas 66, nays 28, as follows:

[No. 64 Ex.]

YEAS—66

| | | |
|---|---|---|
| Aiken | Hartke | Morton |
| Allott | Hatfield | Moss |
| Anderson | Hayden | Muskie |
| Baker | Hickenlooper | Nelson |
| Bartlett | Inouye | Pastore |
| Bayh | Jackson | Pearson |
| Bennett | Javits | Pell |
| Boggs | Jordan, N.C. | Percy |
| Burdick | Kennedy, Mass. | Prouty |
| Carlson | Kennedy, N.Y. | Proxmire |
| Case | Kuchel | Randolph |
| Clark | Long, Mo. | Ribicoff |
| Cooper | Magnuson | Scott |
| Dirksen | Mansfield | Smathers |
| Dominick | McCarthy | Smith |
| Ellender | McGee | Sparkman |
| Fong | McGovern | Spong |
| Fulbright | McIntyre | Symington |
| Gore | Metcalf | Tydings |
| Griffin | Mondale | Williams, N.J. |
| Harris | Monroney | Yarborough |
| Hart | Morse | Young, Ohio |

NAYS—28

| | | |
|---|---|---|
| Bible | Hill | Murphy |
| Byrd, Va. | Holland | Russell |
| Cotton | Hollings | Stennis |
| Curtis | Hruska | Talmadge |
| Dodd | Jordan, Idaho | Thurmond |
| Eastland | Lausche | Tower |
| Ervin | McClellan | Williams, Del. |
| Fannin | Miller | Young, N. Dak. |
| Gruening | Montoya | |
| Hansen | Mundt | |

NOT VOTING—6

| | | |
|---|---|---|
| Brewster | Byrd, W. Va. | Church |
| Brooke | Cannon | Long, La. |

The VICE PRESIDENT. On this vote there are 66 yeas and 28 nays. Two-thirds of the Senators present and voting having voted in the affirmative the resolution of ratification is agreed to.

Mr. FULBRIGHT. I ask unanimous consent that the President be immediately notified of the action of the Senate.

The VICE PRESIDENT. Without objection, the President will be so notified.

Mr. MANSFIELD. Mr. President, in ratifying the Consular Convention with the Soviet Union, I believe the Senate has wisely discharged its constitutional duty both to "advise" and to "consent." While each of us who have voted for ratification may differ in particular reasons for so voting, the fact remains that the Senate, by its vote, has said unequivocally that the benefits obtained in this treaty warrant its adoption, that the 18,000 or more Americans who visit the Soviet Union each year deserve the protections embodied in its provisions. I personally believe this is an outstanding achievement—an achievement that represents another step in the journey of a thousand miles—an achievement which distinguishes this entire body. Clearly, this was not a partisan issue. It never has been. Its acceptance by more than two-thirds of the Senate demonstrates beyond question its nonpartisan nature, its bipartisan appeal.

Many Members, however, should be singled out for particularly strong and effective efforts, although it is difficult—perhaps impossible—to list everyone deserving credit for an accomplishment of this magnitude. First and foremost, the chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. FULBRIGHT], certainly deserves the highest credit, praise, and distinction for his efforts in shepherding this convention from its very beginning over 2 years ago to its final ratification today; his fairness of attitude permitted the fullest and fairest presentation of view and viewpoint. The ranking member, the distinguished senior Senator from Iowa [Mr. HICKENLOOPER], similarly is to be commended for joining to assure full and swift action both in committee and on the floor. And the other members of the committee, on both sides of the aisle, demonstrated a spirit of outstanding cooperation, assuring first, that the views of all on various aspects of the treaty were presented and then, joining to see that the measure was reported swiftly. But particularly, I wish also to thank the distinguished Senator from Alabama [Mr. SPARKMAN] for his highly able and astute talents in assuring the fullest presentation of argument in favor of ratification here on the floor.

The Senator from Kentucky [Mr. MORTON] deserves a great deal of credit for his tireless efforts—his indispensable efforts—to muster the support necessary for ratification. His role in defining the issues involved, in articulating the merits of the convention, were vital to its adoption. Equally strong and articulate was his colleague from Kentucky [Mr. COOPER] to whom we similarly are indebted for adding his immense wisdom and good judgment to assure ratification.

The vigorous endorsement by the senior Senator from Louisiana [Mr. ELLENDER], the carefully reasoned statement of the senior Senator from Colorado [Mr. ALLOTT], and the wise and articulate support of the senior Senator from Vermont [Mr. AIKEN]—the ranking Republican—all served to make ratification a certainty.

The entire Senate is indebted also to the splendid cooperative efforts of the senior Senator from Maine [Mrs. SMITH]. Her charm and grace during the consideration of this measure were combined with her typically generous and completely selfless cooperation.

The distinguished minority leader, the senior Senator from Illinois [Mr. DIRKSEN], has demonstrated again the statesmanship so characteristic of his public life. History will speak his praise better than I could attempt at this time. To be singled out also are the distinguished senior Senator from Pennsylvania [Mr. SCOTT], who with the senior Senator from Kentucky [Mr. MORTON], rallied the early support for this measure; the distinguished Senator from New York [Mr. JAVITS], and the distinguished senior Senator from Tennessee [Mr. GORE] added their articulate and eloquent support which is not only always welcome but wise and helpful.

The vote was not unanimous but the views of those opposing the convention were just as strong and just as sincere as those favoring the convention. In leading the opposition, the senior Senator from South Dakota [Mr. MUNDT], employed the same high degree of courtesy and cooperation that has characterized his many years of service in this body. Joining him, first to voice their own sincere positions and to cooperate fully in assuring efficient action, were the senior Senator from Nebraska [Mr. HRUSKA], and the senior Senator from New Hampshire [Mr. COTTON].

To the distinguished Senator from Nebraska [Mr. CURTIS], and the distinguished senior Senator from South Carolina [Mr. THURMOND], we owe our thanks for cooperating fully to dispose of the measure in orderly and efficient fashion.

Finally, to the Senate I say again, that the ratification of the consular convention has not only distinguished this body, it has demonstrated that the national interest is always a bipartisan business.

## LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 73, House Joint Resolution 627, which I understand will take a very short time.

Mr. HICKENLOOPER. Mr. President, I object to any unanimous consent until we can have order in the Chamber, so that we can hear what is being asked.

The VICE PRESIDENT. The Senate will be in order.

Without objection, the Senate will resume consideration of legislative business.

Mr. HICKENLOOPER. Mr. President, I do not wish to be understood as continuing an objection to the unanimous-consent request, but I could not hear what was being said. Until we can understand what is being said, I object.

Mr. MANSFIELD. Mr. President, the Senator is correct. We should have order.

The VICE PRESIDENT. The Senate will be in order. Attachés will please leave the Chamber so that the Senate can conduct its business.

Mr. HICKENLOOPER. Mr. President, I cannot hear what is going on. There is too much confusion in the Chamber. I object to further unanimous-consent proceedings until we have order.

The VICE PRESIDENT. The Chair will attempt to get order. The Senate will be in order.

## AMENDMENT TO SENATE JOINT RESOLUTION 53

AMENDMENT NO. 130

Mr. MORSE. Mr. President, I wish to report a comedy of errors. Two days ago I introduced on behalf of the White House, Senate Joint Resolution 53, which is the resolution that sets forth the President's recommendation to the Congress for a policy to which he would

have us give our advice and consent relating to the expansion of the Alliance for Progress program.

As the RECORD of March 13 will show, I arrived on the floor of the Senate following a speech that the majority leader had made commenting on the President's message on Latin America. I thought the majority leader had introduced a resolution supporting that message. I then made a speech.

Mr. HICKENLOOPER. Mr. President, I am interested in what the Senator is talking about. I cannot hear. I am not going to move over and sit beside him in order to hear him and I do not expect him to roar until the rafters ring. I wish we could have order.

The VICE PRESIDENT. The Chair will once again attempt to have order in the Chamber. I would appreciate the cooperation of Senators and those in the galleries.

Mr. MORSE. Mr. President, then, as the RECORD will show, I proceeded to make a speech joining the Senator from Montana in support of the President's message. I then left the Chamber.

I was thereafter phoned by Ambassador Linowitz, who said he understood that I had not introduced the resolution. I advised the Ambassador that it was not my understanding that I was to introduce the resolution; I thought the majority leader would introduce the resolution. However, I told the Ambassador that I would proceed immediately to the floor of the Senate and introduce the resolution.

I spoke with the majority leader about the matter and he said he had not introduced the resolution and that he wanted me to introduce it, and so, I stood near the majority leader and introduced the resolution. Then, I said, "Where is it?" He said, "On top of your desk."

I came over to my desk. Mr. President, I am telling this story because I think it is an interesting bit of history.

I found a resolution on the top of my desk. It was a Xerox copy. I thought the fact that it was Xerox copy would be of particular importance to the Ambassador. I took the Xerox resolution to the desk and handed it in. It seems, however, that during my absence someone had made some changes on the Xerox copy of the administration resolution. They apparently thought some modifications would be appropriate and they planned to discuss them with me before the resolution was introduced. I did not know about this offer of advice, and since I did not know about it the resolution was introduced with some modifications written in and certain language stricken.

Mr. President, I now make the following offer to the Senate: I submit an amendment to Senate Joint Resolution 53, which strikes all after the resolving clause and insert the original language sent to me by the White House.

The VICE PRESIDENT. Without objection, the amendment will be received, appropriately referred, and printed in the RECORD.

The amendment (No. 130) was referred to the Committee on Foreign Relations, as follows:

Strike out all after the resolving clause and insert the following:

"That the Congress recommends, in support of the concept of a Latin American Common Market and after appropriate steps have been taken toward progressive establishment of such a market, that the United States furnish through the Inter-American Development Bank standby resources to be matched by Latin American countries to provide integration adjustment assistance to facilitate the transition to a fully functioning Latin American Common Market.

"The Congress further recommends that the United States join with the other members of the Inter-American Development Bank, in the provision of resources to that institution to be used for financing multinational projects which promote Latin American economic integration.

"That the Congress support individual and joint efforts of the member states of the Organization of American States to expand trade within the region and with other areas of the world and to mobilize public and private resources inside and outside the hemisphere to further the economic development of Latin America.

"Further, the Congress recommends that the United States provide an increase in assistance under the Alliance for Progress for programs of educational and agricultural modernization and improvement of health. The nature and amount of such assistance is to be dependent on demonstrated need and adequate self-help within the recipient countries.

"The Congress recommends that the United States be prepared to make available significant additional resources over a period of five years in support of the foregoing objectives and in relation to progress by the Latin American countries toward the goals of economic integration and in the mobilization of domestic efforts and resources to advance the purposes of the Alliance for Progress."

Mr. HICKENLOOPER. Mr. President, I wish to address a question to the Senator from Oregon. Is my name on that resolution?

Mr. MORSE. The name of the Senator from Iowa is on both of them.

Mr. President, I want the record to be perfectly clear that this substitute is introduced on behalf of the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Montana [Mr. MANSFIELD], the Senator from New York [Mr. JAVITS], and the Senator from Florida [Mr. SMATHERS].

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## ADDRESS BY SENATOR PERCY BEFORE THE AMERICAN ASSOCIATION OF SCHOOL ADMINISTRATORS IN ATLANTIC CITY, N.J.

Mr. PROUTY. Mr. President, my good friend, the junior Senator from Illinois [Mr. PERCY] recently made some interesting observations in an address before a convention of the American Association of School Administrators in Atlantic City, N.J.

This speech is a timely dissertation concerning the progress which Project Headstart has made in the field of education. I believe it important that this speech be brought to the attention of my colleagues, however, because it also discussed the future possibilities of the Headstart program and suggests certain lines along which this program may be further developed.

This address, Mr. President, reflects the distinguished Senator's grave concern and deep compassion for the terrible disadvantages faced by the children of poverty in the field of education.

As the Senator so aptly points out, Headstart has already made a lasting contribution to American education in that it has dramatically cast the spotlight on the significance of early education and on the untapped potential of the early years.

Mr. President, it gives me great pleasure to request unanimous consent that this fine statement by the junior Senator from Illinois be printed in its entirety at this point in the RECORD.

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

ADDRESS BY SENATOR CHARLES H. PERCY TO THE AMERICAN ASSOCIATION OF SCHOOL ADMINISTRATORS, ATLANTIC CITY, N.J., FEB. 12, 1967

As a nation, we have committed much to education, but we have not yet committed enough.

There is one area of education in which we have made important progress in the recent past, but in which we must move far more boldly in the near future.

I speak of early education.

The nation has lately embarked on a great experiment to prepare children from severely disadvantaged families for school. And it is evident already that this experiment—Project Head Start—is a success in terms of its limited scope. Certainly, it has been by far the most successful of all the war on poverty programs.

For a long time, it had been obvious that children of poverty came to school initially less well prepared than middle-class children, and fell further behind each year. They were thus subject to a vicious cycle of inadequate education, low occupational skill, low income, and renewed poverty.

Project Head Start was designed to help break this cycle at perhaps its most critical point: during a child's formative years. One of its chief aims is to meet what one expert calls "the chronic-failure syndrome—the giving up before you start." It is an effort to give children from severely limited home environments something of what other children take for granted.

A child who has never seen a book, never used a pencil, a child who confuses a teddy bear with a rat because a rat is the only animal he knows, a child who may not even know his own name—and there have been many such children in Head Start—a child who is a stranger to the simple words and concepts that are a part of his contemporaries' environment, such a child starts out at terrible disadvantage. And we can make our ideals of equal opportunity meaningful only if we do in fact equalize opportunity at this most critical of formative stages.

We court disaster when we neglect these children, for neglect will result in lives filled with resentment and frustration. By neglect, we invite another round, another lost generation, in that cycle of poverty and alienation.

But, given a little assist at this critical time, they can be well started toward lives as useful and productive citizens.

It will be some years before we know precisely how successful Head Start will be in achieving this long-range goal. But already we know that Head Start children have a jump on other disadvantaged children in significant ways:

A Head Start child's health has been attended to; he is used to a good deal of personal attention when he needs help; he receives more support for his school activities at home because of the direct parent-teacher contact that Head Start encourages. The

Head Start child is better prepared for school, and frequently his readiness can be seen in terms of subsequent academic achievement.

Dramatic gains on standardized intelligence tests and in language ability have been found in several follow-up studies. These have been coupled with indirect evidence of greater motivation and interest in school.

These, then, have been some of the accomplishments of Head Start. Unfortunately, the coin has another side which is not so bright. Perhaps the words of one Head Start teacher can best describe part of the problem.

"It's not that the regular teachers push them back down," she says, "but, unless the teachers are better than average, they do cut off the gay, conquering spirit that these kids have been taught. In fact, there were teachers last year who complained that they had to have the Head Start kids be quiet while they brought the rest of the children up to their level."

What emerges here is the fact that most children have to adjust when they switch from Head Start to school because in many cases they are taking a step backwards. The result is that much too often, the educational head start is washed away for lack of an adequate followthrough.

For example, Baltimore's Head Start program was considered one of the nation's best, but follow-up studies showed that the children's gains declined as their first full year of school progressed.

The fact is that an eight-week summer program cannot fully compensate for four or five years of lost ground. And unless Head Start is followed through in the classroom, it can be next to meaningless.

In Chicago, I've been involved personally for the past two years in our own private Head Start-type program. This has been year-round. Sponsored jointly by the New Illinois Committee and the Cook County Republican Central Committee, we've been seeing what can be done by giving Head Start-type help to children on a continuing basis. The results have been highly promising.

Unless we find ways to fund more Head Start classes on a year-round basis, those early first steps will lead to nowhere.

In this regard, I was gratified to hear the President affirm in his State of the Union message that the Administration wished to strengthen the Head Start program. The following week again, in his Economic Message, he promised "an expanded Head Start program."

However, when I sat down one night to examine the budget, I discovered that Head Start is *not* being expanded. The same number of children will be served in the new fiscal year as in the last fiscal year. Last year there were 550,000 children in the summer program and 187,000 in the full academic year program or a total of 737,000 children. This year's budget calls for the same number, 737,000. Not only are we standing still as far as the number of children are concerned, but less money has been requested by the Administration to fund this year's program. President Johnson has actually requested 15 million dollars less this year than last to pay for the Head Start program.

I fail to understand how this is either "strengthening" or "expanding" the Head Start program; I only hope that the Congress will do better by Head Start than allow it to stand still.

Head Start must be broadened and improved, but already it has made one lasting contribution to American education: as nothing before it or since, it has dramatically cast the spotlight on the significance of early education and on the untapped potential of the early years. In only two years, this one new Federal program increased preschool enrollment by 17 per cent. Last summer, nearly one-half of the nation's more than 3000 counties had at least one Head Start center. Already, Head Start has touched the lives of over a million underprivileged American children.

The impact of this has been great. For the nation is becoming increasingly aware of all that can be gained in a child's early years—and of all that is lost if we ignore those years.

The evidence offered in this area by such men as Chicago's Benjamin Bloom and J. McV. Hunt of the University of Illinois is persuasive: the evidence that an individual's achievement in life depends to a great extent on what he has been helped to learn before the age of four; the evidence that children's intellectual and emotional development is capable of greater strides during the years before age 6 than at any time thereafter; the evidence that these are the years of greatest susceptibility to environmental influences—the years when the roots of intellectual curiosity are laid.

Conversely, it is in the early years that deprivation is most disastrous in its effects. Many experts believe that millions of children are being irreparably damaged because they do not learn enough during this crucial period.

The lack of any planned intellectual training in the early years all too often results in preordained failure in school and in adult life. Head Start is trying to cope with this problem in our poverty communities.

But even for children who cannot be called disadvantaged, the lack of early intellectual training may result in a loss of natural gifts, a less interesting life, a diminished intellectual curiosity, a smaller contribution to society.

Pre-school education has long been available to the rich, who could afford private nursery schools and kindergarten; now we are making it available to the poor through Head Start. But what about the great numbers in the middle?

I think we must be careful lest middle America becomes the newly disadvantaged educationally. And that is why I was enormously excited last May when the Educational Policies Commission of the N.E.A. and the A.A.S.A. recommended that free public schooling at the age of four be made available to *all* children. I want you to know that you have a new voice in the Senate who will champion your cause there.

Five million children in the 4-to-5 age bracket are not now in school. We must do much better than that. We can't afford not to.

Does this mean an earlier start on the regular course curriculum? Not at all. It means that the program for 6-year olds would be altered to take into account the earlier schooling, not vice versa. It means a special environment tailored to the special needs of early childhood. It means staffing by early childhood specialists, with the professional skills and personal abilities needed to prevent future school failure on the one hand, and to help pave the way toward future excellence on the other. It means encouraging the child to develop his innate abilities to observe, to imagine, to experiment. It means helping him find joy in language, in music, in the arts and in the basic elements of science. It means helping him to develop pride in himself and faith in his capacities.

But merely to add years of public education without carefully tested methods, trained teachers, adequate facilities and a solid financial base could engender more problems than progress. As this audience knows so well, the human and financial resources of public education in many parts of the country are already spread perilously thin.

The ground for any such program must be prepared with meticulous care. Toward this end, I will propose in this session of Congress the following:

First, I will propose the establishment of a special division within the Department of Health, Education, and Welfare, in order to coordinate the work and ideas of the present handful of early education specialists.

Second, I will urge that this division immediately launch a major study of the experiences of existing early education centers, calling on the guidance of experts in the fields of education, psychology, social services and health, with a view toward developing programs of early education that could appropriately and effectively be adopted by existing school systems.

Third, I will propose that Congress specifically fund a limited number of experimental and demonstration projects, designed to train teachers and to test a variety of concepts in the light of actual experience. These should include the establishment of early grade centers for four-to-eight year olds, a concept favored by many experts in the field.

Then, and only then—when a thorough study has been made, when special teacher training is under way, when experimental models have been tested and the results evaluated—in short, when we are ready—Congress should draft legislation to encourage states and localities in making early education available to *all* the children of *all* the people beginning at the age of four.

The steps I have outlined tonight represent the kind of action we in the Congress can provide. But ultimately, support for any program of this scale must come from the local level. If there is no response locally, there will be no response nationally.

So let me urge you to take the lead in your communities. For I feel that you share my belief that this nation requires a pervasive and unstinting public commitment to the pursuit of excellence in education—and that it must begin early.

I am not calling for an alternative, but a complement, to the role of the family. For the school can do only so much. If the home completely fails the child, the child is going to fail the home, the school and society.

It is essential, then, that we enlist the efforts of parents in this great venture. For example, I would like to see mothers employed as assistants in nursery schools. It would not only leave teachers more time to do what they are trained to do, but I believe the mothers would be more effective at home as a result of the experiences.

I believe we will all benefit—the child, the family, the school, the nation—if we make early schooling a part of the excitement of every childhood. The question is no longer whether we will make this commitment but when; the proposition is not if but how.

So let us begin for time now lost can never be regained by the new generation.

Lincoln said "The dogmas of the past are inadequate to the stormy present . . . As our cause is new so we must think anew and act anew."

As educators as administrators as legislators let us now so act.

Thank you.

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## SUPPORT FOR BILL PROVIDING LEGISLATIVE AUTHORITY FOR SELECT COMMITTEE ON SMALL BUSINESS

Mr. PROUTY. Mr. President, on February 6 of this year together with the Senator from Idaho [Mr. JORDAN], I offered an amendment to the bill, S. 355, which would have given to the Select Committee on Small Business to the Senate legislative authority; that is, the authority to receive and report to the floor bills and resolutions.

That amendment, which has been the substance of what is known as Senate Resolution 30 for the last three Congresses was unfortunately defeated by a vote of 58 to 27.

There is, however, support for this proposal throughout the country, and I hope that eventually it will receive approval of the Senate.

A wire which I received from Mr. George Burger, vice president of the National Federation of Independent Business indicates the support which that organization has for this proposal.

I ask unanimous consent that the contents of that telegram and also a column from the New York Times of February 7 relating to this amendment might be printed at this point in the RECORD.

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

Hon. WINSTON PROUTY,
*Senate Office Building,*
*Washington, D.C.:*

Congratulations on your consistent fight to bring about long overdue legislative relief for the small businessmen in this nation. I am referring to your Resolution, S. Res. 30, that would give legislative authority to the present Senate Small Business Committee. You hit the nail on the head in the debate on the floor of the Senate yesterday in support of your resolution when you said, "The corporate giants are forcing the nation's small businessmen to the wall at a constantly accelerated rate. If these small enterprises are not permitted to grow and prosper, the nation will suffer an irreparable loss in job opportunities and economic growth." Almost daily we are witnessing that trend in the small business structure nationwide. It is our hope and trust that the Congress will recognize this serious situation which is facing small business before small business is eventually eliminated in the free enterprise system. You are privileged to make known the contents of this wire to your colleagues.

GEORGE J. BURGER,
*Vice President, National*
*Federation of Independent Business.*

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SENATE DEFEATS COMMITTEE PLAN—REJECTS A STRONGER ROLE FOR SMALL BUSINESS PANEL

WASHINGTON, Feb. 6.—The Senate defeated today, 58 to 27, an attempt to permit its Select Committee on Small Business to send legislation to the floor for action, as do regular and standing committees.

Senator Winston L. Prouty, Republican of Vermont who offered the proposal, said that it had the support of many small businessmen.

Under current rules, the committee may only investigate matters, hold hearings and make recommendations on proposals affecting small business.

Mr. Prouty offered his plan as an amendment to the Congressional reorganization bill now being debated by the Senate.

The proposal was killed on a tabling motion by Senator A. S. Mike Monroney, Democrat of Oklahoma, chief sponsor of the reorganization bill. Mr. Monroney contended that the needs of small business were now fully considered in the Senate Banking and Finance Committees.

Mr. Prouty replied, "The corporate giants are forcing the nation's small businessmen to the wall at a constantly accelerated rate. If these small enterprises are not permitted to grow and prosper, the nation will suffer an irreparable loss in job opportunities and economic growth."

The Senate debated the reorganization bill today for the eighth day with no end in sight. About 70 amendments have been filed.

MORE AMENDMENTS BEATEN

The Senate defeated by voice vote eight additional amendments by Senator Joseph S. Clark, Democrat of Pennsylvania, designed to reform or recodify the Senate's floor procedures. Only Mr. Clark voted for the changes; in each, four to seven senators voted no. Clark's proposals included:

Explicit recognition of the right of the majority and minority leaders to have precedence in being recognized to speak. This is the practice now but is not in the rules.

Rewriting of the point-of-orders rule to make it clear that a Senator can be interrupted for raising of such a point in certain circumstances.

Elimination of the right of an individual Senator to call for a quorum unless he is willing to have a vote on the pending question once the quorum is obtained.

Also defeated was a provision limiting debate on points of order to one hour.

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## DEATH OF VICTOR JOHNSTON

Mr. MURPHY. Mr. President, I rise at this time to bring to the Senate the unfortunate news of the passing of a man well known to many of us, who served the Republican side and the Republican senatorial committee for many years, Mr. Victor Johnston.

Vic suffered a heart attack last Sunday and, unfortunately, passed away last night. Funeral arrangements are being made. The funeral will be held in Washington.

Senators may feel free to call my office. We will have all information as quickly as arrangements can be made.

The VICE PRESIDENT. The Chair joins in expressing regret.

Mr. MURPHY. I thank the Chair.

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## EMERGENCY FOOD ASSISTANCE FOR INDIA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 73, House Joint Resolution 267.

The VICE PRESIDENT. The joint resolution will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. Joint resolution (H.J. Res. 267) to support emergency food assistance to India, which was reported from the Committee on Agriculture and Forestry, with an amendment, on page 3, line 4, after the word "should", to insert a comma and "subject to the requirement of section 401 of Public Law 480 with respect to the availability of the commodity at the time of exportation,".

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. MILLER. Mr. President, concerning the amendment, the House added an amendment to its original joint resolution. The original joint resolution expresses the sense of Congress that to avoid price-depressing uncertainty, the administration, in carrying out the program, should make announcements of intention, purchases, and shipments on schedules and under circumstances designed to strengthen farm market prices to the maximum extent possible. Since the joint resolution in no way changes existing law, any such announcement would necessarily be subject to the requirement of section 401 of Public Law 480 regarding the availability of the commodity at the time of exportation.

The amendment referred to makes it clear that its adoption is subject to that understanding.

EXPLANATION OF THE JOINT RESOLUTION

Mr. President, the purpose of the joint resolution is to put both the legislative branch and the executive branch of our Government on record on the subject of food aid to India. It sets forth a recommendation that our Government provide, in calendar year 1967, $25 million of emergency food relief for distribution by CARE and other American voluntary agencies under title II of Public Law 480, as amended, and not to exceed 3 million tons of food grain, at an estimated cost of $190 million, also under title II. This 3 million tons would be in addition to 3.6 million tons already furnished or in process of being furnished so far this year under the policy established by the India food aid resolution approved April 19, 1966.

Under the guidelines of this resolution, it will be seen that we would be on record in support of furnishing up to 6.6 million tons of food grains to India during calendar year 1967. This would be considerably less than the 8 million tons furnished during calendar year 1966, and it could represent approximately two-thirds of the 10 million tons estimated by the Department of Agriculture to be required by India from outside sources this calendar year. However, from roughly mid-May on, the 3 million tons recommended in this resolution would amount to only 50 percent of the estimated requirements for outside food aid.

The point should be made that the bulk of food aid to India will continue to be furnished by the United States until May; but thereafter we propose that Congress endorse a policy of the President that the United States furnish one half, with the Government of India having to look to the rest of the countries of the world for the other half. This other half could be contributed by other countries in the form of food grains themselves, in the form of cash to enable India to buy food grains in world markets, or, possibly, in the form of fertilizers and seed—which are only one crop period removed from food grains.

I believe the mid-May time for moving to a 50–50 sharing of food aid is a reasonable one. To do so sooner might well cause a break in the pipeline of food aid, which would mean hardship to many people. It would be very difficult for the Government of India to work out arrangements with other countries so that their deliveries would come in before mid-May in order to keep the pipeline filled. And time is needed for other countries, including those forming an India food aid consortium, to work out their program.

On the other hand, it is believed that the time is at hand for the United States to reduce its food aid to a 50–50 basis. No longer do we have the reserve stocks available to do more. And with the tragedy of a terribly costly war on our hands, the people of the United States cannot at the same time continue to do for others as much as they could do otherwise. Many other nations are not

sharing in the cost of this war, and it is only right for them to shoulder their share of the food problem which drought has visited upon the people of India.

You may note that the resolution is couched in terms of a self-help approach on the part of India in achieving food self-sufficiency, under terms and conditions set forth in the 1966 Food for Peace Act. It should not be implied from this that India is not making great strides in agricultural production. While it is true that there was an unfortunate delay in assigning priorities to agricultural production from her limited resources, India has finally done so. Needed policy changes have been made to encourage outside capital investment in fertilizer plants. Great emphasis is being placed on family planning clinics throughout the nation, with a view to moving toward a balance between population and food resources. The tragedy of two successive droughts in several parts of the country has caused a temporary crisis. Food aid is needed to enable a large democratic country, moving along the right road, to continue its progress and to prevent hunger, malnutrition, and possible starvation to millions of people. We should join with other nations in helping to meet this need.

Mr. President, I ask unanimous consent to have printed in the RECORD a table from the committee report, bearing on this subject.

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

| Calendar year 1967: | *Million tons* |
|---|---|
| Food grain requirement to prevent famine in India as determined by World Bank, United States, and Indian officials | 10.0 |
| U.S. allocation last year to be delivered in 1967 | .7 |
| U.S. allocated in 1967 | .9 |
| U.S. interim allocation pursuant to President's message of Feb. 2, 1967 | 2.0 |
| U.S. proposed addition to be appropriately matched by other countries pursuant to H.J. Res. 267, up to | 3.0 |
| Proposed U.S. supply subtotal, up to | 6.6 |
| Additional food grain aid from other countries pledged to date: | |
| Canada | .18 |
| Australia | .15 |
| U.S.S.R. | .20 |
| Commercial purchases by India | .20 |
| Expected additional contribution by other countries to multilateral food grain aid program | 2.67 |
| Other countries and Indian commercial purchases subtotal | 3.40 |
| Summary: | |
| Total proposed U.S. supply, up to | 6.6 |
| Total other country supply | 3.4 |
| Grand total | 10.0 |

Mr. MILLER. Mr. President, I move adoption of the amendment.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. McGOVERN. This resolution requested by the administration does not call for additional authority. It is a resolution of limitation—not of increased authorization. The Food for Peace Act of 1966 provides considerably more authorization for food assistance than is envisioned in the pending resolution.

The proposed resolution seeks to place certain limits on our food assistance to India in 1967 to accomplish two purposes: first, to bring about a greater effort by other nations to match U.S. food contributions to India; and second, to encourage greater efforts by the Indian Government and her people to increase their capacity to feed themselves.

Those are worthwhile objectives. I have been concerned, however, that the resolution might have the effect of painting us into a corner so that we would be unable to meet additional Indian food needs if present estimates are in error.

I have been assured, however, by Under Secretary of State Rostow and Secretary of Agriculture Freeman that there is enough leeway in the resolution and in the administration's position so that we can meet unforeseen food needs in India should the present estimates be in error. On the basis of these firm assurances by top-ranking administration officials, I have decided not to oppose the resolution.

Mr. MONDALE. Mr. President, I fully support this resolution declaring our support for continuation of food assistance to the famine-stricken people of India.

We have decided in the past that an attack on the specter of starvation—through sharing our agricultural abundance—is a matter of high national policy. This resolution continues that policy and reaffirms it.

The resolution also clarifies the cornerstone of our policy on food assistance to agriculturally underdeveloped nations. That cornerstone is our emphasis and insistence upon self-help and the development of self-sufficiency in those countries where population growth is outstripping food production.

We do insist on self-help because we know that in the long run the United States cannot feed the world alone. But until agricultural sufficiency is reached in India and other nations, we cannot and will not hoard our grain while those peoples starve.

One aspect of the resolution does raise problems, however. On its face it gives every appearance of limiting U.S. food aid to India to a maximum of 3 million additional tons of grain and only if matched by other nations.

I fully support our Government's desire to maintain a strong negotiating position in seeking to bring other nations into the war against hunger. The United States should not bear the burden alone. Others who can must also help.

But if our efforts to find additional food aid from other countries end in failure, and if the Indian famine continues, this resolution must not stand as a barrier to further U.S. assistance. During the hearings in the Senate Agriculture Committee, we received assurances that this resolution was flexible enough to permit us to feed those who are starving, despite what others might do.

I have received additional assurances, as has Senator McGOVERN, that our Government will not deny food aid to those who need it because of this resolution. With those assurances, I do intend to vote for the resolution as our committee has reported it.

We have asked our farmers to provide us the food in the war against hunger. I have said in the past, and say again, that we must pay them a decent and adequate return for the food produced for these donational programs. Our food aid programs cost money, and the cost must fall equally on all of us—not more heavily on the farmer. If this is truly a national policy, we cannot ask the farmer to carry the greatest share of the load.

Mr. YARBOROUGH. Mr. President, in my opinion, we are engaged here in an extremely healthful exercise of critical examination.

There is an old saying that "Charity sees the need, not the cause," and I might accept this saying if we were talking about aid to India as a once-only-and-done-with-it proposition. But India will need a helping hand, from us and many others, for a long time to come. And it is both appropriate and necessary that we become thoroughly familiar with both the need and the cause. Only this way can our assistance be fully effective.

From my own examination of India's need and the cause of her need, I have concluded that it is imperative that we continue for some time to provide food assistance in substantial amounts—though here I equally support the thought that India must do much more to improve her ability to feed herself and other developed countries must join with us, much more than they have done, in lending a hand.

I support the joint resolution and I hope my distinguished colleagues will see fit to do so, too.

I call attention to an excellent editorial on the subject of "Wheat for India" which appeared in the Washington Post on March 11. It summarizes the views held by many of us, and I would like to quote these two paragraphs which I think closely relate to our discussions today:

> The joint resolution which sailed through the House on last Thursday by an overwhelming 310-to-63 vote, is an admirable compromise, all things considered. It calls for a United States contribution of an additional 3 million tons of wheat on top of the 3.6 million tons this country has already furnished for the current year, and ties this new shipment to an equivalent 3 million ton contribution from other donors. This effort to encourage others to help meet India's needs—and to encourage India to get busy soliciting this help—makes good sense. This country can't hope to go on supplying a major portion of India's food needs indefinitely, without artificially expanding surplus production far beyond present levels. Others, including the Russians as well as the French and the Canadians, must get the habit of pitching in more heavily.
>
> "While the resolution is reasonably strict on this count, this will not exclude an Administration request for further shipments if India's food crisis worsens—and any additional American contribution would not be subject to the 50–50 ratio between our help

and that of other countries. It is to be hoped that the Senate will follow the example of the House in combining firmness with a measure of flexibility.

I ask unanimous consent that the editorial from the Washington Post of March 11, 1967, be printed in the RECORD at this point.

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

WHEAT FOR INDIA

With just a little less largeness of spirit all around, the Administration's wheat-for-India legislation could have been badly mauled in the House of Representatives. Conservative elements were insistent on a hard line towards other potential donors, even at some risk that sufficient grain might not be forthcoming from this country to help fill an expected demand in India for at least 10 million tons of imported food grain this year. The liberals were just as concerned that no strings be attached which might inhibit this country from doing whatever might be needed to head off the threat of widespread famine.

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Mr. COOPER. Mr. President, there is no doubt in my mind, and I am sure there is little doubt in the minds of my colleagues, that India is in critical need of our food aid. And I see great merit in the reasons—economic, political, and humanitarian—that have been advanced here for our assuring food aid to the Republic of India.

But in the same way that I would expect a neighbor to whom I had given a helping hand to take advantage of that help and improve his condition, I would expect India to take advantage of this food aid and attempt to solve her food production problems so that she may move toward becoming self-sustaining. I believe that India with her critical food problems will do this.

I support fully the proposed allocation of food to India. Partly stimulating my support is a recent commitment by the Government of India to give high priority to planning for food self-sufficiency. I am happy to list the major agriculture targets of the Indian Government for 1967–68:

First. A 4-billion-rupee—$533 million—investment in agriculture;

Second. Fertilizer production of 535,000 nutrient tons of nitrogen, 150,000 tons of phosphate;

Third. Fertilizer imports of 850,000 nutrient tons of nitrogen; 350,000 tons of phosphate, and 300,000 tons of potassium;

Fourth. A total of 15 million acres under new varieties of seed;

Fifth. One hundred and twenty-five million acres sprayed for crop protection;

Sixth. Increase of 3 million acres in minor irrigation and concentration on use of irrigation for intensive production;

Seventh. An increase of 1 billion rupees—$133 million—in Government rural credit; and

Eighth. Increase of total commodity storage capacity by 1.35 million tons.

The Indian Government also plans to make a timely announcement of price support levels to encourage greater production; increase end-of-year government grain stocks through price supports; develop a national food distribution policy; and accelerate domestic production capacity for fertilizer and other agricultural inputs.

Mr. President, these are as yet plans. But they are plans which I believe can be carried out. They are plans which must be carried out if India expects to improve its food production after food-for-aid from developed nations such as the United States becomes scarce.

With present crop yields measured against the current population explosion, the increasing scarcity of food in the future seems to me a very real, however frightening, possibility.

I have spent some time in India. It is one of the few countries in the world which not only has established democratic institutions, but which practices democracy. In a country of a half billion people, the pressures on its borders require India to spend far too much for defense. With all the demands on its resources to progress economically and socially, its capacity to increase food production rapidly is limited. As a result, millions of its people are undernourished and in times of drought or flood thousands perish.

This resolution is founded on the purpose to assist India in time to become self-sufficient in food production. But immediately it carries also a high humanitarian purpose.

A REALISTIC POLICY ON INDIA

Mr. MUSKIE. Mr. President, if I thought that food aid to India were to turn into an exercise in perpetual motion, I could not in good conscience support the joint resolution. But I do not think this need be or will be the case.

I believe that India is moving ahead. I believe that India can eventually become a self-supporting Nation. If we refused to lend a hand, India could not make it. But as we do extend our assistance, I think India can pull through.

In saying this, I want to make it clear that I am not suggesting that we open the door of every American granary on behalf of India. This is a case where it is necessary that we extend our food aid on a measured basis and with some specific qualifications attached—including more self-help by India itself and more help from the outside by the other developed countries. The President, in my opinion, is acting wisely in insisting on these qualifications.

I wish to lend my own support to the joint resolution on food aid to India, and I hope that my distinguished colleagues will see fit to join with me.

HOPE FOR STABILITY IN INDIA

Mr. METCALF. Mr. President, as we consider the joint resolution on support for India food aid, there is a certain amount of reassurance in the fact that the Congress Party won, even though by a slim margin, in the recent elections and in the fact that Mrs. Indira Gandhi will stay on as Prime Minister.

While we have sometimes wondered whether Mrs. Gandhi was not using too much of a velvet glove, at the same time we have known her to be intelligent, keenly aware of India's problems, and seriously devoted to solving them. As an Indian politician, she has had to be highly discreet in revealing any special friendship toward the United States—but we have suspected that behind the nationalistic image she projects there is a genuine feeling of warmth and friendship toward the West.

There seems to be general approval in the United States of the way the elections have turned out. The Washington Post on March 14 commented:

The re-election of Indira Gandhi as Prime Minister is a mark of the continued vitality of democracy in India. . . . India's political fabric has been strong enough to hold together during a period of savage economic and social difficulties, and during a period of vigorous politicking too.

Mrs. Gandhi demonstrated considerable skill and verve in rescuing her own position from the debris of the elections. But to the extent that the country's prospects hinge on the demonstrated political strength of its leadership, the outlook is unsure. India's difficulties have yet to induce an appropriate spirit of crisis unity. Mrs. Gandhi will need the active support of all Indians, and of all of India's foreign friends, in the five years ahead.

American food aid to India is, of course, a gamble—but it is a gamble we must take. If India can win her fight against poverty and hunger, we will be rewarded many times over in many ways for our investment. But if India does not win, and particularly if she should fail to win because her friends did not help enough, it will go down in history as one of civilization's greatest tragedies.

The recent elections have given me renewed hope for stability and progress in India. I urge that we endorse the President's program for India food aid by giving our strong support to the joint resolution.

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

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

MRS. GANDHI WINS

The re-election of Indira Gandhi as Prime Minister is a mark of the continued vitality of democracy in India. Next to the current convulsions in Peking, the order and consensus evident in New Delhi are particularly

impressive. India's political fabric has been strong enough to hold together during a period of savage economic and social difficulties, and during a period of vigorous politicking too. That a number of heretofore sacrosanct politicians received a come-uppance at the hands of voters can hardly please those politicians. But it suggests a new and mature disposition among the electorate to demand high performance from its elected officials, regardless of who they are.

Mrs. Gandhi's position, as she begins a new five-year term, is, nonetheless, unenviable. Her Congress Party lost a hundred seats in Parliament. A formidable number of ministers and party leaders failed of re-election. Congress lost its majorities in seven of the 15 states it previously controlled. It remains to be seen if Mrs. Gandhi's leading political rival, the 72-year-old Morarji Desai, will be entirely helpful and cooperative in his new post as Deputy Prime Minister.

Mrs. Gandhi demonstrated considerable skill and verve in rescuing her own position from the debris of the elections. But to the extent that the country's prospects hinge on the demonstrated political strength of its leadership, the outlook is unsure. India's difficulties have yet to induce an appropriate spirit of crisis unity. Mrs. Gandhi will need the active support of all Indians, and of all of India's foreign friends, in the five years ahead.

AMERICA HOPES TO AID INDIA SOLVE ITS FOOD CRISIS—PRESIDENT JOHNSON AND SECRETARY FREEMAN REALISTIC IN TREATMENT OF AGRICULTURAL PROBLEM

Mr. RANDOLPH. Mr. President, I support the India food aid resolution. This measure is true to the American tradition—the tradition of helping a neighbor who finds himself in trouble through no real fault of his own and who is striving to solve his problems.

India is in trouble. With our good neighbor tradition, we cannot turn deaf ears to her appeal for help.

Despite the frustrations of successive droughts, India's continued determination to help herself is evident to the administration and to the Members of Congress.

An editorial in the March 2 issue of the Baltimore, Md., Sun carried the following comment on this point:

Secretary of Agriculture Freeman points out that Indian public investment in agriculture in the new five-year plan is to be doubled, with allocations in this fiscal year up by 43 percent. Our purpose as well as India's, Mr. Freeman says, is to speed the time when massive outside help will no longer be necessary.

India is striving to extricate herself from the current food crisis, but she needs help.

When an individual is confronted with a sudden deprivation emergency, he has two options: he can mortgage his future by buying what he needs to meet the emergency with funds he cannot afford to spend; or he can turn to his neighbors for aid in the crisis. Countries beset by unforeseen emergencies are much like individuals. They, too, may have only two options.

The Baltimore Sun editorial examined the first of those options:

One of the conditions (for U.S. assistance) is that India make every effort to increase the efficiency and volume of its own agricultural production. On this point, Eugene V. Rostow, Under Secretary of State for political affairs, tells the House Agricultural Committee that dramatic steps have been taken, only to be "masked" by the temporary misfortune of two successive years of severe draught. Nobody would be helped, Mr. Rostow says, if the Indian Government were forced, because of the drought, to spend its scarce foreign exchange resources for emergency food and therefore to postpone agricultural and economic development already programmed.

Our investment in the future of India's agricultural and economic development is so substantial that it is not reasonable to abandon that investment now.

The Sun editorial noted this commitment:

From the American point of view the large fact is that, when we look at Asia as a whole, we have an important stake in the fate of the Indian democracy, whose success depends on the attainment of economic viability. For humanitarian reasons, in the present season of distress, we are acting toward India as we should act. For reasons of long-range policy, we must support the Indian striving toward self-sufficiency.

The VICE PRESIDENT. The joint resolution is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the joint resolution, as amended.

The joint resolution, as amended (H.J. Res. 267), was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Congress approves the participation of the United States in cooperation with other countries and with multilateral organizations, including the International Bank for Reconstruction and Development, the Organization for Economic Cooperation and Development, the Food and Agriculture Organization, and others, in urgent international efforts designed to—

(a) develop a comprehensive self-help approach to the war on hunger based on a fair sharing of the burden among the nations of the world;

(b) encourage and assist the Government of India in achieving food self-sufficiency; and

(c) help meet India's critical food and nutritional needs by making available agricultural commodities or other resources needed for food procurement or production.

Because uncertainty in connection with Public Law 480 transactions tends to depress market prices, it is the sense of Congress that, in carrying out this Aid to India program, the Administration should, subject to the requirement of section 401 of Public Law 480 with respect to the availability of the commodity at the time of exportation, make announcements of intention, purchases and shipments of commodities on schedules and under circumstances which will protect and strengthen farm market prices to the maximum extent possible.

The Congress endorses the President's policy of equal participation on the part of the United States with all other nations, under terms and conditions set forth in Public Law 480, as amended, in assisting the Government of India to meet these needs.

Further, the Congress recommends, on the basis of estimates now available, that the United States provide an additional amount of food grain not to exceed three million tons at an estimated cost of $190,000,000 as the United States share toward meeting the India food deficit, provided it is appropriately matched, and specifically extends its support to the allocation of approximately $190,000,000 of funds available to the Commodity Credit Corporation in calendar year 1967 which will be required to accomplish this purpose.

The Congress further recommends that the President provide an additional $25,000,000 of emergency food relief for distribution by CARE and other American voluntary agencies.

The preamble was agreed to.

Mr. MANSFIELD. Mr. President, I move that the vote by which the joint resolution was passed be reconsidered.

Mr. MILLER. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

(At this point, Mr. BYRD of Virginia took the chair as Presiding Officer.)

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INVESTMENT CREDIT, YES; SURTAX, NO—BUT LET US PLAY FAIR WITH CONSUMERS, TOO

Mr. HARTKE. Mr. President, the House Ways and Means Committee has ordered reported, and the House is expected to pass at any time now, H.R. 6950, a bill to restore the 7-percent investment tax credit and accelerated depreciation requested by the President on March 9. This indeed is welcome news and I concur in the need for the reinstatement of both incentives, particularly since several of my colleagues and myself have contended before their suspension that to eliminate them would increase the softness of those sectors of the economy which were even then slowing down.

The reinstatement of these incentives, as recommended by the administration, should make obvious the fact that their suspension was certainly not a revenue measure nor even a needed imposition of fiscal restraint. Secretary of the Treasury Fowler, in his statement before the House committee, states that the demand for capital goods remains at a point of "healthy buoyancy" and is not now indicative of "the excessive, threatening, boom conditions that prevailed last summer."

Mr. President, I maintain, as I did in my August 19, 1966, speech, that the economy did not then need a suspension of these business incentives, that the existing conditions did not constitute a threatening "boom," and that any action to suspend the credits would harm the smaller businessman while not affecting substantially the industrial giants. Then leaders in industry, despite expensive interest rates and no tax credit, continued on their planned path of expansion, well aware that their 14- or 15-percent net return on investment makes the payment of a higher interest rate relatively inconsequential to them, that removal of the tax credit was bothersome but certainly not fatal to their expansion of productive capacity. The rush of money to banks for certificates of deposit and the record high-interest rates created a severe depression in the housing industry as funds available to the prospective homeowner were siphoned from savings and loan associations.

Who had all the money, Mr. President? The industries that were supposed to be cutting back as a result of the suspension of the tax credit and accelerated depreciation. Those who were penalized were those least able to afford it. There was indeed a slowing down of net capital investment, though their aggregate may be

of smaller economic import than the industrial giants. The bellwethers of the economy were already slowing down well before the administration's recommended suspension of the investment credit and depreciation scale.

In my August 19 Senate statement "A New Strategy for the U.S. Economy," I said:

> In very simple and precise terms, the answer to specific shortages and strains is not to deflate demand throughout the economy—and defeat inflation by creating recession—but rather to increase the supply of the specific type of commodity or of manpower for which there is excess demand. The deflationary meat-ax is not the answer.

Surely it was ironic, Mr. President, to attempt to slow a rise in prices brought on by insufficient supply by further curtailing supply through suspending incentives which would increase it. The result was, predictably, to prevent industry from expanding to meet demand at prices that are not inflationary.

The Senator from Wisconsin [Mr. PROXMIRE], chairman of the Joint Economic Committee, was one who joined me last year in opposing the suspension. Our views were supported by economic analyses and forecasts by highly reputable economists representing sound forums of economic and business expression. Secretary Fowler acknowledged that there would be a lag of a year or more, since the credit can be claimed only on completion of the investment project. Unless one has a distortion-free crystal ball, a suspension as a tool supposed to have a timely and expedient effect cannot but carry its own seeds of failure, particularly if the restoration of credit should be made retroactive to the date of the suspension as some have suggested.

I understand, Mr. President, the difficult position of Secretary Fowler. A close analysis of his statements during the periods of, first, creating the incentives; second, suspending them; and now, third, restoring them, makes it apparent that he has been at times the unwilling spokesman for economic measures of very dubious wisdom. It is unfortunate that loyalty to the administration sometimes requires its officers to give lipservice to politically inspired economic mismeasures. To buy easier credit from the Fed by inaugurating an investment credit suspension only to soon take it back is both bad economics and bad politics. We ought not to be subjected to the inconsistencies of unsettling economic legerdemain.

In short, Mr. President, this economically unwarranted suspension should be terminated as soon as feasible. The economic indicators, of which the administration has now taken notice, are certainly clear and compelling reasons for the recommended restoration. But they are also compelling evidence, it would logically seem, for not enacting a surtax that would have a further negative effect on the economy.

For practically all of the economic indicators, Mr. President, show and have shown for some time a slowing trend: GNP growth rate, housing, auto sales, capital investment, and employment figures, for example. While personal income has increased since last summer, this rate, to, is expected to slow down and stabilize in the months immediately ahead.

Mr. President, there is no more wisdom in a tax increase now than there was earlier for a suspension of the investment credit and accelerated depreciation. A deficit—which could be as high as $2 billion if there is trouble selling participation certificates and if there is no tax increase—could closely mirror the escalation of the war in Vietnam. Since this is a result of administration foreign policy, the administration should bear the onus of responsibility in a candid manner and place the burden candidly on Vietnam. Further, a tax increase which slows the economy could very well result in a net loss of revenues to the Treasury, rather than a gain, and thus increase rather than decrease the deficit.

Mr. President, James Tobin, the distinguished Sterling Professor of Economics at Yale and former member of the Council of Economic Advisers, has written an article which appeared in the Washington Post of January 8, 1967. In it Professor Tobin most eloquently explains the seemingly obvious implications of the present economic slowdown. He points out that a tax increase might trigger our first wartime recession. I ask unanimous consent that Professor Tobin's article be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. HARTKE. Mr. President, Professor Tobin on February 16, in his statement to the Joint Economic Committee, again expressed his view that a tax increase is not needed. Indeed, he foresees a possible need for a tax cut. There he said:

> I conclude that in spite of the anticipated growth of Federal expenditures, including the proposed improvements of social security benefits, the restraints of current taxes and monetary policies taken together, are likely to be severe. Therefore, I do not now see a case for the proposed 6% surcharge. Indeed, I can well imagine that in the course of the year it will prove desirable to restore the investment tax credit ahead of schedule.

I might point out that this statement by Professor Tobin on February 16 was less than a month before his prediction came true. I continue to quote from his statement before the Joint Economic Committee on February 16:

> If Federal expenditures are cut below the budget, or if social security benefits are increased less or later than proposed, then stabilization considerations suggest that taxes should be reduced.

I completely agree with that point of view. The bill for restoration of the 7-percent credit, as it is being recommended from the Ways and Means Committee, in effect rescinds a tax increase and therefore is equivalent to providing a tax cut to business. Yet it is the business sector of the economy which is contributing higher profits than ever to the economic picture. Not that I am raising objections on this point.

I want it to be clearly understood that I favor the restoration. But it does leave us with a situation in which the need is for stemming possible recessing through supporting consumer spending as well as the quantities of production which can keep supply sufficiently high to restrain prices.

Let me make it clear at this point that the difficulty today in automobile sales is not that we do not have sufficient capacity to produce automobiles to sell to the public. The problem is that purchases are not forthcoming. Not enough people are willing to spend the money to pay for automobiles. In other words, there is a shortage of demand, not a shortage of supply.

Therefore, it is my conclusion that in order to maintain equity, we should consider not only rejecting the surtax proposal, but also providing equal treatment for the individual taxpayer. In other words, to repeal the investment credit suspension, yes; to increase taxes by a 6-percent surtax, no. Let us play fair with the consumers, too. I may well have more to say on this point later, either in the Senate or in the Committee on Finance as we consider the measure.

It is my understanding that the calculations of the Treasury before passage of the suspension were that the 7-percent credit would reduce corporate tax obligations by $1,805 million in the 4 fiscal years 1967–70. On the same basis as before, if the recommendations of the Committee on Ways and Means become the law, allowing the credit on any eligible items acquired after March 10, the estimate for the 4 fiscal years is $1,655 million. This means that the measure, during its period of operation, has resulted in a difference to the Treasury of some $150 million. I am happy that the penalty upon business in monetary terms is no greater, although I am sure it has been very costly in terms of the disruption of plans and perhaps the need for their reactivation now.

But if the recommendations being made are adopted, there will also be a reversion to the rate originally suggested when the tax credit was adopted. At that time, the proposal was that the credit should apply unconditionally on the first $25,000 of tax and on 50 percent of the tax liability above that amount. However, as enacted, the 50 percent became 25 percent. Now, if the eligible amount is revised upward as the Ways and Means Committee is suggesting, instead of the $1,655 million estimated 4-year Treasury cost, the figure will become $1,860 million. This—and I approve of it—means that in the course of time such an arrangement will give a tax benefit amounting to $205 million over and above the original calculations as to effect anticipated before the suspension. This will, on balance, offset the $150 million lost in the suspension period and add a net gain of $55 million in the fiscal years 1967–70 period.

Thus, with beneficiaries of the 7-percent credit as restored gaining to the extent of $1.86 billion in the years through 1970, for the sake of equity and as a balancing measure in the economy, I believe we should consider the possibility of providing an equivalent individual income tax cut rather than moving to a surtax. Less than $2 billion spread

over a 4-year period is only about a $500 million annual sum. Yet it would be a substantial indication that the individual will get equivalent treatment with corporations, at least in this one respect.

Mr. President, the 7-percent investment tax credit is not the only tax benefit which has been given and subsequently taken away. We did precisely the same thing in the matter of excise taxes on telephones and on automobiles.

Some people may have a little difficulty in keeping up with just when the taxes are put on and taken off. This seems to be a way of life. We put excise taxes on, and then take them off. We grant a suspension of the investment credit, and then we take it off. It goes up and down, in and out, like a Yo-Yo.

The excise tax on telephone service, local and long distance, was reduced by Congress in 1965 from 10 to 3 percent. The reduction took effect on January 1, 1966. But at the request of the administration, we passed in early 1966 the Tax Adjustment Act, which restored the full amount of the telephone tax. So beginning on April 1, 1966, the 3 percent so briefly paid, for only 3 months, went back to 10 percent. The remainder of the gradual schedule of reduction was retained, however, so that that 10 percent is scheduled to drop back all the way to 1 percent on April 1, 1968, and to be repealed entirely as of January 1, 1969.

Much the same is true of the automobile manufacturers' excise. The 10-percent tax previously in effect was cut to 7 percent as of June 22, 1965. It was reduced to 6 percent as of January 1, 1966, and then changed back to 7 percent again by the Tax Adjustment Act, effective March 16, 1966.

If anyone thinks people who are paying taxes have difficulty following this little transition, and if anyone thinks he has difficulty in following my statement today, just think how difficult it is for the little taxpayer trying to ascertain what he is going to have to pay and how much he is going to have to account for. It is difficult for an individual to make decisions in that atmosphere, because one must have some idea of what is going to happen.

The reduction schedule for the future remains the same, however—to 1% in one jump as of April 1, 1968, and to nothing, with complete elimination on January 1, 1969.

Mr. President, I have suggested that equity for the small individual taxpayer could best be served if restoration of the 7-percent investment tax credit were to be accompanied by an equivalent tax break for nonbusiness taxes.

Here are two situations which are quite parallel, except that they affect not the large business expansion investor but the average person—and certainly the average person universally is affected by the telephone tax and by the automobile excise tax. Like the off-again, on-again, off-again investment tax credit, these have been taken off, then restored; but, unlike the tax credit, there is no move to give the equivalent relief to the little man by making a comparable change in either telephone or automobile excise.

Let us look at the dollar sums involved. I have noted that the Treasury estimate of loss by the action proposed on the 7-percent credit, as compared with the present situation, is almost $2 billion in a 4-year period, or an average of about $500 million annually. Reduction of the 10-percent telephone excise from 10- to the 3-percent level, which obtained for that short 3 months last year, would give the American taxpayer a saving of $98 million for the remainder of 1967 fiscal year and $703 million for fiscal 1968. As I noted, reduction will be to 2 percent on January 1, 1968, anyway. I contend that to take this action now would have a further beneficial effect, in that it would gradualize the action, so that the impact will not be in a sudden and possibly more unbalancing economic surge of consumer buying power on that 1968 date.

But perhaps even more appropriate, both for that reason—which involves a drop from 7 percent all the way to 2 percent in auto excises on April 1, 1968—and because of the present doldrums in the vast automobile industry, would be a reduction to the midpoint of 4 percent in the auto excise. Such a reduction would amount to a Treasury loss of $177 million for the remainder of fiscal 1967 and $513 million for fiscal 1968.

Such a reduction would amount to a Treasury loss of about $177 million for the remainder of fiscal 1967, and $513 million for fiscal 1968.

It is worth recalling that in the present state of the economy one of the slowest sectors of the economy is automobile sales. The auto industry, both in its primary and related activities, accounts for 30 percent of our Nation's economic activity. Thus either of these two measures would do two things: provide for the small taxpayer equity with the industrial sector by doing precisely the same thing we are doing in the investment tax credit restoration, and it would—particularly if applied to the auto excise—give a needed lift to a most important area of the economy which is now suffering a cutback in employment and loss of sales.

Mr. President, this is my thinking on the question of the bill which is expected to be reported to the Senate late this afternoon, or is certain to be passed by the House of Representatives today, and will be before us in the Finance Committee either on Friday of this week or not later than Monday of next week. It is my intention to offer, in the Committee on Finance, of which I am a member, an amendment or a series of amendments along the lines which I have discussed.

Certainly, to sum up, it is advisable to restore the investment tax credit as we have been requested to do. By the same token, an enactment of a surtax is unnecessary and unwise, but fair treatment and the demands of the present economic situation dictate the desirability of coupling with this 7-percent investment tax credit restoration an equivalent benefit in the cutback of the reimposed excise taxes which so closely parallel this measure in their history.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. HARTKE. I am happy to yield to my friend from Delaware.

Mr. WILLIAMS of Delaware. I understood the Senator to refer to this proposed restoration of the investment credit as costing an average of $500 million a year for the next 4 years. I think the exact figures are that the restoration of this credit, in itself, will cost the taxpayers around $1.8 billion, and the investment credit, once restored, will average costing around $1.8 to $2 billion a year, and will continue at that rate for all the years to come, unless it is removed. Some of the plants will not be collecting it all in the next 3 or 4 years, the first $1.8 billion.

Mr. HARTKE. That is correct.

Mr. WILLIAMS of Delaware. But the actual value of the investment credit, once restored, means that we will be cutting taxes to the extent of about $1.8 billion a year, which means the administration is cutting taxes to that extent in the face of a deficit which is averaging around $1.5 billion per month.

Mr. HARTKE. I thank my distinguished friend from Delaware. I think he was probably not present when I began my remarks. I made that point quite clear, that this was a $1.8 billion tax cut. There is no question about it. We are not in disagreement about that whatsoever. This is a tax cut to business, of $1.866 billion, which will be the net effect of providing for this restoration. It is true, however, that the actual cash to be collected will not be collected all in one year, but collection will occur during a period of years.

But the Senator from Delaware is exactly correct in his statement, and I wish to say that, as a net result of my suggestion of providing something the equivalent of a $500 million tax cut to the consumer, certainly it is not, then, much out of line, because it even provides for him about one-fourth of what is really being provided in a total cut for the business community itself.

EXHIBIT 1

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

"TAX BOOST WOULD BE BAD MEDICINE"—TOBIN

(By James Tobin)

Should President Johnson ask Congress to raise income taxes? The answer seems clearly no. Indeed, to diminish uncertainty, the President would do well to assure the country that he has no intention of recommending a tax increase in 1967 unless economic circumstances or defense requirements change drastically from current expectations.

In the year-long debate on this subject several arguments for a tax increase have been advanced. Some of them now seem obsolete, but others probably still have persuasive power both inside and outside the administration.

The primary economic argument some months ago was that the economy was suffering from "overheating" and excessive inflation. No respite was in sight, especially because large increases in Vietnam war spending were known to be in prospect. Additional restraint on private spending seemed necessary and a tax increase the obvious way to get it.

But in the last few months of 1966 the private economy cooled off, and indications now are that the defense expansion in 1967 will not be as large as earlier guesses. Few people would now say that the economy needs a bigger dose of anti-inflationary medicine. I will elaborate the reasons for the change in outlook later in this article.

A more sophisticated economic argument is that raising taxes would permit the Federal Reserve to ease credit and lower interest rates. The size of the anti-inflationary dose may have been right, but its composition evoked great discontent. The large amount of tight money in the mixture placed most of the anti-inflationary burden on homebuilding.

Nineteen sixty-six would have been a happier year if the policy mix had been different in the first place. But that is an argument for raising taxes a year ago, not now. Shifting the mix at this juncture would be a delicate and risky operation. The rise in taxes would be concrete, certain, and quick in its effects. The compensating easing of monetary policy would be vague, uncertain, and slow. The "Fed" likes to feel its way mysteriously and cautiously; and its actions affect the economy with considerable lag. A tax increase in 1967 could bring recession before the offsetting monetary ease took effect.

The customary caution of the monetary authorities in easing credit conditions will be buttressed by their concern for the balance of payments. In 1966 tight money dramatically strengthened the dollar in the foreign exchange markets by making it profitable for U.S. banks to borrow rather than to lend abroad. This was a welcome offset to the dollar drains of U.S. imports and foreign investments, and the "Fed" will be reluctant to abandon it.

For the domestic economy, the question is no longer whether to change the mixture of a dose of given strength. Evidently the present dose of anti-inflationary medicine is too strong. Monetary policy needs to be relaxed whether taxes are increased or not. We no longer need a tax increase in order to avoid the tight money pains of 1966.

A persuasive non-economic reason for a tax increase is that otherwise the administrative budget will show a deficit this fiscal year and a larger deficit, perhaps $10 to $15 billion, in fiscal year 1968. The President is understandably reluctant to preside over such deficits. They would be a political weapon in the hands of economy-minded opponents of the Great Society both in Congress in 1967 and in the election of 1968.

The administrative budget is the one that makes the headlines, and it is deficits in this budget that increase the official national debt. The pernicious irrelevance of this budget concept was never clearer. The national income accounts budget, which measures economic impact, will show much smaller deficits in both years. This is largely because the administrative budget counts Federal loans as expenditures and fails to give credit for surpluses of social security trust fund receipts over outlays.

Over the years both Republican and Democratic administrations have made budgetary cosmetics a fine art, developing gimmicks (notably accelerating tax payments and selling Federal loans or "participations" in Federal loan portfolios) to improve the appearance of the administrative budget. Some of these gimmicks have been exhausted, but the ingenuity of the budgetary cosmeticians should not be underrated. A new vista has been opened by the realization that if Federal trust fund buys a participation instead of a regular government bond the administrative budget deficit and the Federal debt proper (the one to which the ridiculous Congressional ceiling applies) are that much lower.

The whole business is silly, and budget cosmetics is an unworthy occupation for able and devoted public servants. By now they have made it perfectly clear that the administrative budget and the technical Federal debt are arbitrary and meaningless figures. These concepts should not be guides to economic policy at all. It would certainly be a tragedy if the President asks for a tax increase that would damage the economy simply because his aides have run out of salable budget gimmicks. The time has come for a straightforward and candid approach. The Administration should make and defend its fiscal policy on economic criteria alone. On those criteria there is now no case for a tax increase.

Another non-economic reason advanced in favor of a tax increase is to provide a tangible symbol of civilian sacrifice in support of the Vietnam war. The social psychology of this suggestion is almost as dubious as its economics. A tax increase would not really affect the contrast between the affluence and comfort of most Americans and the hardships and perils of our men in combat.

Already the war on poverty is bearing an undue share of the cost of escalation of the war in Vietnam—on the false theory that when government defense spending rises it is other government programs, rather than private claims on resources, which must give way. The Administration would have good reason to ask the country for additional taxes if it were really prepared to fight both wars at once and to scale its budget accordingly. But if the President and the Congress are not prepared to do this, a tax increase will simply magnify the problems of poverty at the same time that the budget is limiting the means of coping with them.

Why is a tax increase dangerous economic medicine at this time? Why is it that the economy now seems capable of absorbing, with reduction rather than increase in inflationary pressure, the considerable expansion of defense spending that is in prospect?

There are several reasons:

The tight money of 1966 will still be having important consequences for homebuilding in 1967. The drastic decline of housing starts already registered means that residential construction expenditures will be low through most of 1967.

Surveys indicate that business plant and equipment spending, which powered the 1965–66 boom, will increase much more slowly in 1967. Private fixed investment was increasing at more than 15% per year in 1965 and 1966. Now its rate of increase will fall to 5 per cent, quite possibly less. In part this is another delayed effect of the tight money and high interest rates of 1966, and of the stock market decline to which these monetary developments contributed. In part it is due to the suspension of the investment tax credit—those who call for a tax increase now seem to forget that one rise in 1967 taxes has already been enacted.

Inventory investment was high in 1966 and should be expected to decline next year even if the economy were growing normally. Moreover, any slowdown in the growth of demand could easily lead to serious reductions of inventories—this is the classic mechanism that converts slowdowns into recessions.

Consumer demand was strong relative to consumer incomes through most of 1966, but there are indications that tight money, both indirectly through its effects on home-building and directly through its effects on availability of consumer credit, is already weakening the markets for consumer durables.

Total demand must grow at 6 or 6½% per year just to absorb the growth in the labor force and its productivity. This figure allows for a 4% increase in the economy's real capacity to produce and for an average rise in prices of 2 or 2½%.

From present indications of the course of government and private spending in 1967, it is hard to foresee a 6 or 6½% growth in total spending. Compare, for example, the third quarter of 1967 with the third quarter of 1966. A growth of demand of about $50 billion annual rate, from $745 billion to $795 billion, would be needed to prevent a rise in unemployment. Government purchases may account for $18 billion, of which $10 is the growth of Federal defense; private fixed investment may increase $3 billion, but this is likely to be offset by declines in inventory accumulation and residential construction. We are left with $32 billion for consumption.

With present fiscal and monetary policies the more likely outcome seems to be a shortfall in the growth of demand, yielding a rise of perhaps half a point in the unemployment rate (from just under 4% now to 4½%) before the end of the year. And there is always the danger that the excess capacity and excess inventories resulting from a slowdown will generate a real recession.

That is why a tax increase now would be inappropriate and dangerous fiscal policy. That is why monetary policy should be significantly and promptly eased even though tax rates are unchanged, and why the Administration should be prepared to advance the date of restoration of the investment tax credit if business investment weakens during the year. (Of course all bets are off if defense expenditures rise substantially more and faster than indicated by December newspaper stories about Pentagon plans.)

## THE SILVER DRAIN

Mr. DOMINICK. Mr. President, on February 8 I delivered a speech on the floor of the Senate wherein I stated that we were face to face with another major silver crisis. I pointed out that our silver reserves had been depleted to the point where we no longer had enough silver in our free reserves to meet our defense stockpile objective. Because of my concern over this problem, I introduced S. 925, which calls for a specific set-aside of 165 million ounces of silver to meet our stockpile objectives as established by the Office of Emergency Planning. I was critical of the administration's "nonsilver" silver policy which has produced no policy and not enough silver. I predicted that the administration would respond to the present silver crisis by offering remedial legislation born out of expediency, and offering no long-term relief. My prediction was based on an exchange of letters between Governor Ellington, Director of the Office of Emergency Planning, and Secretary of the Treasury Fowler wherein Secretary Fowler disclosed that the Treasury would request legislation permitting it to write off an amount of silver certificates believed irretrievably lost or destroyed. To my knowledge this was the first time this exchange of letters had been made public.

Today seems a most appropriate time once again to explore the whole silver issue. I say that it is most appropriate, because legislation has been sent to Congress, although it has not yet been introduced, and I shall comment on that later.

The lack of a discernible silver policy is even more apparent today than on February 8.

The silver crisis has significantly sharpened.

New silver legislation, as predicted, has been drafted and forwarded to the Congress.

Who is to assume the responsibility for establishing our silver policy? That is now an issue.

Much of what I say today is necessarily predicated on my speech of February 8. At that time I gave a detailed analysis of the silver situation. The picture was not bright. Both world and domestic consumption of silver have

continued to outstrip production, widening what is commonly referred to as the "silver gap." By persisting in our policy of maintaining the price of silver at $1.29 per ounce, our Treasury continues to be a private silver mine for consumers. As a consequence, our silver reserves continue to decline at an alarming rate. The following chart gives a good indication of the dramatic reduction in our silver reserves during representative months in the past year:

[In ounces]

| | Total silver held in reserves [1] | Silver monetized to secure silver certificates | Balance of (free) silver |
|---|---|---|---|
| December 1965 | 801, 319, 743 | 529, 474, 026 | 271, 845, 717 |
| June 1966 | 687, 118, 769 | 463, 355, 565 | 223, 763, 204 |
| October 1966 | 615, 666, 831 | 442, 480, 991 | 173, 185, 840 |
| November 1966 | 601, 477, 455 | 439, 769, 779 | 161, 707, 676 |
| December 1966 | 592, 918, 102 | 437, 657, 325 | 154, 960, 777 |
| Mar. 10, 1967 | 542, 524, 759 | 429, 544, 734 | 112, 979, 825 |

[1] Does not include 2,000,000-plus silver dollars.

Mr. President, there are some significant figures in that chart. In December of 1966, we had a reserve balance of 154,960,777 ounces, which even then was not enough to take care of our stockpile objectives. As of March 10, 1967, just a week ago, we had 112,979,825 ounces, or a net loss, in free silver, of 42 million ounces in less than 3 months.

Mr. BIBLE. Mr. President, will the Senator permit an interruption at that point?

Mr. DOMINICK. I am happy to yield to the Senator from Nevada.

Mr. BIBLE. I think the Senator is very dramatically pointing out the shrinkage in free silver. We forecast this situation 2 years ago on the floor of the Senate, in connection with our silver coinage bill.

I very carefully read the Senator's fine statement of February 8. It is amazing to me that while at that time our free silver stock was in the range of 135 million ounces, today it is down to 113 million, which means the free silver stock, for potential defense needs and other purposes, has shrunk 20 million ounces since the last time the Senator from Colorado made his speech.

Mr. DOMINICK. The Senator is eminently correct, and that is exactly what has led me to continue to harp on the problem. I am desperately concerned. Not only do we not have enough silver for our objectives in defense purposes now, but the silver stock is going down so rapidly that we may shortly not have enough to handle, in any way whatsoever, the problems imposed by even a short emergency.

Mr. BIBLE. Will the Senator permit another interruption?

Mr. DOMINICK. I am happy to yield.

Mr. BIBLE. This appears to represent a reduction of about 20 million ounces, if it holds at the January and February level, per month. If the loss continues at that level, by the end of this year we would have little, if any, free silver to meet any defense needs; is that not correct?

Mr. DOMINICK. It certainly is.

Mr. BIBLE. If it keeps the same rate.

Mr. DOMINICK. The Senator is absolutely correct. We anticipate that the drop will be even more than that.

Mr. BIBLE. I thank the Senator.

Mr. DOMINICK. Mr. President, in my previous speech, I used the reserve figure as of January 27. At that time we had 135,153,027 ounces—now, as of March 10, less than a month and a half later, our free silver reserves have declined to 112,979,825 ounces.

Because of my grave concern over our declining reserves, I introduced a bill on February 8 which would direct the Secretary of the Treasury to establish a reserve of 165 million ounces to meet the defense stockpile objective as established by the Office of Emergency Planning. I can see no alternative but to continue to insist upon a specific set-aside as it has become increasingly apparent that the Treasury will not meet its commitment without a directive from the Congress.

On June 14, 1965, the Treasury Department pledged to maintain a defense reserve of silver "unless its use were to become necessary for critical national needs." This statement was reaffirmed late in 1966.

Parenthetically, I should say here that in view of the fact that the Treasury has permitted the free silver reserves to go below the requested 165 million ounces, it seems apparent that the Treasury Department is saying that the needs of the industrial and artistic markets are above those of national defense. That is something that I cannot agree with.

It is apparent, that as long as the Treasury persists in maintaining the price of silver, we will not have enough silver in our unobligated reserves to meet our stockpile objective. In my judgment, this conflict in policy between the establishment of a stockpile objective, and the policy of maintaining the price of silver must be reconciled. While the committee has not received the departmental report on my set-aside bill, it will be interesting to see how the Treasury can continue to justify its ignoring our defense stockpile objective while continuing to sell silver to all comers in commercial and artistic markets. The American people find themselves placed in jeopardy as far as the defense stockpiles are concerned.

The fact remains, we are caught short without enough silver to meet our defense objective. This situation is nothing more than the result of our "nonsilver" silver policy.

We are in our present dilemma largely because we have failed to develop a workable silver policy. What policy we have, has been born of expediency. It is a policy guided by crisis rather than reason.

In my earlier speech I traced the history of our silver crisis beginning in the early 1960's.

Since the early 1960's it has been apparent that we were facing a major shift in our silver situation. Since that time, our consumption of silver has continuously exceeded predictions and the depletion of U.S. Treasury reserves has surpassed the Government's efforts to stem the decline. The first crisis during this period can be traced back to as early as 1961. Reacting to the rapid depletion in silver reserves, the Treasury in November 1961, suspended silver sales to U.S. industrial users at $0.91 an ounce. Like today, the Treasury had been making these sales from its free reserves—reserves not required for backing for silver certificates.

Unfortunately, three things occurred which sharpened the crisis; the demand for silver coinage increased faster than predicted, industrial use greatly expanded, and coinage demands from foreign countries increased. As a reaction to that crisis, Public Law 88–36 was enacted in June, 1963, to alleviate the problem of our decreasing reserves. Public Law 88–36 repealed the Silver Purchase Act and provided for the redemption and eventual retirement of all silver certificates. Many of us, particularly those of us from the Western States, opposed this move for we saw it as a convenient method for the Treasury to depress and control the market price of silver. Our worst predictions have come true and silver continues to flow out of the Treasury to industrial users under the guise of redeeming silver certificates. The act did, however, temporarily relieve the silver crisis as the redemption and retirement of silver certificates released or freed silver previously needed for the backing of the certificates.

The 1963 act also confirmed the redeemability of silver certificates for bullion at $1.2929 an ounce which made the Treasury Department a residual supplier for industrial demands in excess of silver available through commercial outlets.

By the fall of 1963 the price of silver had risen from $0.9162 to a market level of $1.2930, slightly higher than the monetary value of $1.2929. Based on the monetary value, the three-fourths ounce of silver contained in the silver dollar has a market value of $1, and it was apparent that, if the price moved higher, the silver content of the coin would be worth more than its value as a coin.

Nothing was done in the 1963 act about silver subsidiary coins. Supplies were already short and during 1963 and 1964 coin usage expanded even more than predicted. The minting of coins was stepped up dramatically and by 1965 the situation had improved to some extent as far as the distribution of current coinage is concerned.

Obviously, the amount of silver required to make the additional coinage also rose sharply—in proportion to the speedup in minting. It became obvious that, if the coins were to continue to have a silver content of 90 percent, our silver policy would have to be either revamped to increase production of silver or our silver reserves would soon be exhausted. Another crisis loomed.

To cope with the new crisis, the Treasury made several recommendations for what, again, I feel was an ill-advised and remedial solution to the problem. The recommendations basically called for a reduction in the silver content of the silver dollar from 90 to 40 percent and suspension of the production of silver dollars for 5 years from July 23, 1965, plus the removal of all silver from our dimes and quarters and the establishment of a Joint Commission on the Coin-

age. Against the protests of many of us in Congress, the Treasury recommendations were basically adopted and they became the Coinage Act of 1965. Hence, another silver crisis was temporarily averted. However, the net result was that our coins were debased and the groundwork was laid for our present dilemma.

The Senator from Nevada [Mr. BIBLE], the Senator from Montana [Mr. MANSFIELD], and I held several colloquies on this subject on the floor during the period of consideration of these bills.

We pointed out the defects contained in them and pointed out that it was only a short-term remedial solution and that it would not solve the overall problem.

We pointed out that it would probably, by showing the shortage of our silver, increase the run on the Treasury supply, which is exactly what happened.

Now, a year and a half after enactment of legislation to cut the use of silver in coinage, the Treasury is still predictably faced with a drain on its reserves. The fact that we used only 53,852,000 ounces of silver for coinage in 1966 as opposed to 320,658,000 ounces in 1965, and 203,170,000 in 1964 has done little to stem the flow of silver from our Treasury reserves.

As I stated, I have been informed that the administration has drafted new legislation to cope with the current silver crisis. It has been sent to the Hill, but apparently has not been introduced as yet. Based on information I have received concerning the proposal, I feel safe in stating that it is another example of legislation by crisis.

It is my understanding that the proposed Treasury bill calls for the immediate removal of silver backing from $150 million of silver certificates and places a 1-year limitation on the redemption of all outstanding certificates.

Not to be deterred from its short-sighted, one-track "single mindedness," the Treasury has again produced legislation devoid of policy which will only serve to create more free silver for sale to consumers and speculators at bargain basement prices. The legislation does not offer a permanent solution to the problem and contributes nothing toward the development of a permanent silver policy. At best, this legislation, if enacted, may extricate the Treasury from its current embarrasment, but it would extract a high price and may well raise more questions than it answers.

It would assure the continued depression of an already badly depressed mining industry.

It would abrogate a contract with the American public and all holders of silver certificates.

It raises the very basic question of who should be responsible for our silver policy—Congress or the Treasury.

If we are to be successful in closing the "silver gap" we must have a policy which stimulates the mining of silver. Silver cannot now be profitably mined except as a byproduct. If we are to stimulate the mining of silver, we must have a policy which will remove the silver industry from the control of the Government.

We must also recognize that the proposed legislation represents, in my opinion, a breach of faith on the part of the administration with the American public and those who hold silver certificates. Silver certificates must be backed by silver—this is the understanding of those who accept silver certificates; this is the present law. What is proposed, in effect, is an abrogation of a longstanding contract; the proposed legislation represents not more than Congress being asked to break an agreement which this Government has made with its own people.

My major concern over the proposed legislation, however, involves the question of who should now be establishing our silver policy. Clearly, the proposed legislation represents another major shift in our silver policy; the fourth such shift since 1961.

The fact that the legislation represents a major policy shift is significant. Who is responsible for the shift is, however, even more significant.

The Coinage Act of 1965, Public Law 89–81, created a Joint Commission on the Coinage to, among other things, review the availability of various metals, renewed minting of the silver dollar, the time when and circumstances under which the United States should cease to maintain the price of silver, and other considerations relevant to the maintenance of an adequate and stable coinage system. The act further states that the Commission "shall, from time to time, give its advice and recommendations with respect to these matters to the President, the Secretary of the Treasury, and the Congress." This provision of the act was hailed by many of us as a means to establish a long-range silver policy compatible with both our coinage system and our mining industry.

The act was, in my judgment, a clear, unequivocal expression of congressional intent to the effect that the Commission would be primarily responsible for the establishment of our future silver policy.

The act was passed in July of 1965, and shortly thereafter, the congressional members were appointed. I am happy to say that I was appointed as one such member. As of today, March 16, 1967, nearly 2 years after the enactment of the legislation, the Commission has never met. It has never been organized. Why? Because the President has never bothered to appoint the eight public members to the Commission.

Had the members been promptly appointed, the Commission would have had nearly 2 years to develop and recommend a long-range silver policy.

Instead, we are now faced with more piecemeal legislation designed only to relieve temporarily a very critical situation.

It is my understanding that the reason given for not appointing the Commission is that the administration feared it would cause hoarding and the melting down of our silver coins during the transition period.

I question this view, for two reasons. First, there is no indication that, had the Commission been immediately appointed pursuant to the act, the Commission would have recommended a policy which would have in any way adversely affected the coin situation. The organization of the commission was not and is not necessarily tantamount to a change in policy. Second, had the Commission recommended a policy which would have advanced the price of silver beyond $1.29, the Secretary of the Treasury was empowered under the act to issue regulations covering the melting of coins which carry very severe criminal sanctions. I feel the promulgation of such regulations would have been an effective deterrent. The fact is that the public members were not appointed, the Commission was not organized, and we are now face to face with another silver crisis.

For all these reasons, it seems imperative to me that Congress take prompt action on S. 925 to provide a stockpile of silver for the defense needs of the American people, needs outlined and supported by the Office of Emergency Planning.

It seems equally important that public members of the Joint Committee on Coinage be appointed by the President as promptly as possible, and that the committee meet and establish a long-range silver policy which will defend our coins against renewed attacks of those who, in their desire to get cheap silver, would turn the American currency into slugs. There is no time for delay, in the interest of all American citizens.

Mr. President, my colleague, Senator ALLOTT, was in the Chamber earlier; but, unfortunately, because of the need to take an airplane, he was forced to leave. He asked me to state for the purpose of the RECORD that he supports the position I am taking in these remarks, and he hopes that we can get some action which will be of assistance in this field.

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

Mr. DOMINICK. I yield.

Mr. BIBLE. I commend the able junior Senator from Colorado for the fine statement he has made with respect to the crisis in silver. There are many crises in the world, and this is a major one. I associate myself with the remarks that the Senator has made. I shall make a statement on this matter after I have asked a few questions of the Senator.

The problem that worries me is that even if the administration policy should prevail and it were to remove the silver—which is some 500 million ounces, I understand—it would be a break of faith, it would be a violation of a contract. My question to the Senator from Colorado is this:

"What will happen to that 500 million ounces, assuming that the administration is successful in having the silver backing of silver certificates removed?"

Mr. DOMINICK. Considering the estimated usage for artistic and commercial purposes as it is now going forward and as it has been expanded, if we project this into the future, the entire 500 million ounces would be used up in commercial and artistic markets within two and a half years. We estimate that the use demand would be 200 million

ounces for 1967, and perhaps more for 1968, so it could be used up sooner than that. This would leave us no silver for coinage and no silver for defense.

Mr. BIBLE. Is the Senator saying that this would again become a private treasury for those in industry to take advantage of a lower price of silver?

Mr. DOMINICK. I can see no other answer. It seems exactly the case, because they would be releasing the silver in the market at $1.29, which is far below what it can be mined for in most areas in this country.

Mr. BIBLE. I am delighted to have the Senator's views, because in large part they coincide with mine. As the Senator has said, that is one of the dangers. We are serving as a feed trough for the silver industry, the silver manufacturers, and the allied industries; and certainly that was not the intention at the time we discussed this matter thoroughly in 1965.

Mr. DOMINICK. I completely agree with the Senator.

Another aspect of this matter which concerns me is the question of the metallic backing behind our currency. This action will remove all silver behind the silver certificates that are outstanding in the hands of the public. I understand that today the distinguished Senator from Pennsylvania did what for a long time I had predicted would be done. He introduced a bill and delivered a speech in favor of eliminating all gold reserves behind our Federal Reserve notes, to eliminate the metallic backing, so that we would have printing press money.

Mr. BIBLE. I am sure that the Senator and I view the problem alike. I hope we will be more successful, if that attempt is made, than we were in 1965, in resisting the efforts to remove silver as backing from our coinage.

Mr. DOMINICK. I sincerely appreciate the assistance given to me by the Senator from Nevada, who knows this problem as well as any other Senator.

Mr. BIBLE. I am happy to join the Senator from Colorado in this matter. I believe he is right.

Among other things, the 1965 act created a joint commission on the coinage, and the Senator has correctly detailed the fact that this commission even now is inoperative.

I think it is significant that among other duties of this joint commission, where a number of them are outlined, it is provided among other things:

> The time when and the circumstances under which the United States should cease to maintain the price of silver.

Mr. President, that is what the commission is supposed to be doing and it has been for some 2 years, and yet it is not organized and has not met.

I am wondering what we would do on the question of whether or not the United States should cease to maintain the price of silver. If the stockpiles are exhausted, and they are approaching that rapidly, it might become an important question.

(At this point, Mr. MONDALE assumed the chair.)

Mr. DOMINICK. I thank the Senator from Nevada. He has expressed the problem plainly, and I agree.

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

Mr. DOMINICK. I yield.

Mr. MANSFIELD. I believe the Senator from Colorado has raised a very profound question, a question of great import to the States in the Rocky Mountain region as a whole, and in relation to the monetary policy of this country.

The distinguished Senator from Colorado has proved to be a prophet on the basis of remarks and speeches that he has made in previous years on the floor of the Senate. I believe he is doing a service in reviving this issue.

If somebody does not speak about the matter it will lie dormant and there is no question as to what the result will be.

If the supply continues to decrease it means not only that we will have no backing to any extent either of the gold or silver variety or paper money we are producing, but also it means the prices will not be maintained at the present level. They will go up, and up, and up. They simply cannot help but go up.

We depend now on imports, I believe, primarily from Mexico and, I must say that the Mexicans have performed a good service in trying to keep prices down. However, even there, in that silver producing nation, they are running out of their silver reserves. I know of no new silver reserves coming into any nation at the present time.

I believe that the Senator from Colorado, backed up by the Senator from Nevada [Mr. BIBLE], has performed a very useful service in calling the attention of the administration to the difficulties which at present confront the silver industry and the potential difficulties which can well confront it in the future.

I commend the Senator.

Mr. DOMINICK. I appreciate the remarks of the distinguished majority leader. I think that we should go just a little further on this matter, and set aside 165 million ounces of silver, which would be sufficient for our stockpile according to the Office of Emergency Planning.

Mr. MANSFIELD. And as the Senator from Colorado has advocated these many years.

Mr. DOMINICK. I thank the Senator, and I was happy to have the support of the Senator the last time.

If we can exceed the anticipated amount of silver required for our coinage and for the industries and the arts, we would find ourselves with little silver. If we release 150 million silver certificates, which they are urging at the present time, and add the 116 million ounces of silver it would create to our present free silver reserves we would still only have a minimum of silver.

The only way that anything can be done in connection with the production of silver is to realize that the raw production price has got to rise. We are facing a very critical period.

Mr. BIBLE. I agree with the Senator from Colorado. We are at that crucial point. There is a crisis in this area. I commend the Senator for what he is trying to do and I am happy to associate with him.

Mr. President, the Senator from Colorado [Mr. DOMINICK] has made some valuable contributions and observations during the past few weeks and today on the silver policies of our Treasury Department.

He has called for the establishment of a national reserve of 165 million ounces of silver to aid our defense efforts. As the Senate knows, I have long had an interest in this subject. I have called attention time and time again for the need to preserve sufficient stocks of silver to meet our defense and coinage needs. I objected to the removal of silver from our silver coins when the coinage bill was before this body in 1965 and at that time again requested establishment of a national reserve of silver. Nevertheless, all we have is the assurances of the Secretary that this obligation will be met.

I know our present Secretary of the Treasury is an honorable man and I have great faith in his capacity to carry out his responsibilities. The repeal of the Silver Purchase in 1963 clearly states that the Secretary can sell excess stocks of silver other than that held to back our silver certificates to other departments and agencies of the Government. I am certain he is mindful of this and will not let our free stocks of silver dwindle to where our defense needs will be jeopardized.

I am concerned, however, as free silver in the Treasury in early March totaled slightly over 113 million ounces.

It is a matter of common knowledge that the Treasury Department will soon request the Congress to declare silver certificates no longer redeemable in silver beyond a given date.

Slightly over $500 million in silver certificates are still considered in circulation and while it is assumed many of these certificates have been lost or destroyed, the only purpose of the proposed legislation would be to take the silver now being held by the Treasury to back silver certificates and to add it to the free stocks, once the certificates are unredeemable for silver.

The free stocks of silver, once traditionally used for coinage purposes, are now no more than a feed trough for industry. With a worldwide shortage of silver and continuing industrial demands far exceeding production, it is incumbent that our Government maintain sufficient amounts of silver to meet our defense needs.

If the proposed legislation to be offered by the Treasury does not include language to protect this vital need, I will propose an amendment to the Treasury proposal making this safeguard.

I also believe that it is imperative that the Joint Commission on the Coinage, as established in Public Law 89–91, in July 1965, be made active at once.

I am one of the congressional Members of this Commission, and on July 20 of last year, I wrote to the Secretary and pointed out that, to my knowledge, the public members had not been appointed and I thought it advisable that the Commission be established and meetings be held.

I was advised later that month that

it was the intention of the Department to appoint the public members after the transition to the new coinage had been substantially completed.

The Senator from Colorado, in his remarks on February 8, pointed to statements from Treasury Department officials which would lead one to believe this period has been reached.

I believe the transition is as near complete as it ever will be and I am advised that the Commission membership and appointments are now under consideration.

I welcome the opportunity to serve as a member of this Commission. One of the most important subjects as spelled out in the law which can be discussed is "when the Treasury Department should cease to maintain the price of silver."

While the price has been maintained at $1.2929 per ounce for the past several years, anyone knowledgeable on this subject knows that this barrier will soon be broken.

It should be broken. The silver mining industry has suffered for too many years at this unrealistic price set by our Government's policies.

The U.S. Government has materially benefited at the expense of the mining industry. Average silver purchases, all during the years of the Silver Purchase Act, by our Treasury was less than 70 cents per ounce. The Treasury has made a handsome profit in disposing of these stocks at a higher value. The Treasury has made a handsome profit on seigniorage in the minting of our coins.

We should review at once our silver policy, and I, for one, am pleased that the Senator from Colorado has brought this subject to the floor. He has my assurances that I will assist him and other Members of this body who believe that we should take action at once to stockpile enough silver for any national emergency of this Nation.

I am delighted to be associated with the Senator from Colorado in the very valuable contributions that he has made. He has called for the establishment of this national reserve of 165 million ounces of silver for the national defense effort. I wish to point out that free silver stocks are down to approximately 113 million ounces this morning. By the time we make another speech shortly after Easter it will probably be 100 million ounces. There is a great urgency in this overall problem. I commend the careful study of it to those who review the statements that are made here today, and I wish to give my assurance to the Senator that I will do all that I can to be of assistance in pinpointing and calling the attention of Congress to the problem.

I hope we have this commission meeting before the silver is thought of in something of terms of the long distant past.

Mr. DOMINICK. I thank the Senator for his contribution in this matter. I feel that this problem is of enormous importance. We talked in terms of defense stockpiling. Many people think of it in terms of its use for polarization, submarines, and batteries for aircraft and naval ships. We are talking about things that do affect the defense of the United States. If we find ourselves suddenly without available silver we will have to go in the market and pay three or four times the price when we already have the silver in our hands To be forced to go to the marketplace under these circumstances would be the height of folly.

Mr. BIBLE. It would be, and it would follow the pattern that we followed after the end of World War II with the tungsten problem. We had none and we were compelled to pay an outrageous price for a defense necessity. That could happen again if we do not use foresight. We should nail down a sufficient supply to keep it for defense needs for the foreseeable future.

Mr. DOMINICK. I thank the Senator from Nevada.

## VIEWS OF FORMER PRESIDENT EISENHOWER ON HUMAN RIGHTS CONVENTION

Mr. JAVITS. Mr. President, former President Dwight D. Eisenhower, in addressing the U.N. General Assembly in 1960, declared that—

> We see as our goal, not a superstate above nations, but a world community embracing them all, rooted in law and justice and enhancing the potentialities and common purposes of all peoples.

An indispensable element in the body of law for that world community is the system of guarantees set forth in the U.N. human rights conventions now before the Senate Foreign Relations Committee. I have long supported U.S. ratification of all four of these conventions, and I welcome the appointment of an ad hoc subcommittee and its activity this year as signs of new interest among my colleagues. It is important that this new interest be transformed into the consent to ratification requested by the administration.

Some may ask why the United States should go on record as favoring the political rights of women and the abolition of forced labor and slavery, when these guarantees are already fully effective in the United States. I believe this argument misses the point. It is because we can proudly claim that these rights exist in the United States, that we should take a leading role in getting international agreement to these principles. We should be embarrassed to find ourselves in the company of only a handful of nations—including Spain and Yemen—which have yet to ratify a single human rights convention.

To my regret the Senate Foreign Relations Committee did not assign the Genocide Convention to the new subcommittee for further study and recommendations. I hope that this will be the next order of business. It is now nearly two decades since the Genocide Convention was referred to the Senate, and it is time that we finally had it before the full body for action. Here again the United States should be leading, not refusing even to follow the large number of states already joined together to condemn the inhuman practice of genocide.

I am convinced that there is no reason in law or policy which should prevent the United States from ratifying the conventions on slavery, forced labor, and the political rights of women. Eminent legal scholars are unanimous on this point. Leaders in both of our great political parties have repeatedly urged their ratification. No group or individual has come forward to the subcommittee to oppose such ratification. I urge the subcommittee, and the full committee of which it is a part, to recommend ratification without further delay of these three important steps toward a world of law and order.

## THE OAS SUMMIT MEETING—SENATE RESOLUTION

Mr. FULBRIGHT. Mr. President, the Congress is again confronted with the question of defining its proper role in passing judgment on proposals of the Executive.

The question arises at this time because of the message of the President on March 13 requesting congressional approval of a joint resolution which would, in effect, commit the Congress to increased appropriations for assistance to Latin America. The President wants the resolution passed before the summit conference which will meet in Punta del Este April 12 to 14. This gives Congress less than 1 month, during which the Easter recess also intervenes, to consider the matter. With other essential matters such as the space treaty now before the Committee on Foreign Relations, this leaves very few days open for consideration of this resolution. We have scheduled one meeting tomorrow with the Secretary of State, but next week it is going to be difficult to get further hearings.

Let me review the way in which this issue has developed.

In November 1965, the Foreign Ministers of the Organization of American States met in Rio de Janeiro to consider amendments to the OAS Charter. The Ministers passed two basic resolutions laying down guidelines for a preparatory commission which was to meet in Panama in March 1966 to agree on specific amendments which in turn would be further considered at yet another meeting of Foreign Ministers. One of the basic guideline resolutions of Rio dealt with political matters; the other with economic.

A member of the Foreign Relations Committee and a member of its staff attended the Rio Conference, or parts of it, and at that time raised no serious questions concerning the guidelines. Yet when the Foreign Relations Committee itself came to consider the proposed economic amendments, in consultation with the Department of State, in February 1966, it developed that several members of the committee, including myself, had serious objections. The proposed amendments seemed to us to commit the United States, for the first time by treaty, to a foreign aid program.

The Department of State heeded our

objections, as a result of which the preparatory commission was unable to reach agreement during its meeting in Panama in March. During April, May, and June, the Foreign Relations Committee held a further series of meetings with officials of the State Department in the course of which mutually acceptable language was worked out. This compromise language was agreed to by the Inter-American Economic and Social Council at a meeting in Washington in June. So far as I am aware, no further question has been raised about this particular aspect of the matter. The amendments to the charter were finally approved by the OAS Foreign Ministers in Buenos Aires in February 1967, and I have no reason to suppose they will not be ratified when they are submitted to the Senate in due course. The amendments make it quite clear that the extent of the U.S. commitment to a foreign aid program is a matter for the future determination of the Congress in accordance with our constitutional processes and in the light of existing circumstances.

Now, in the meantime, Mr. President, at the meeting of the Inter-American Economic and Social Council in Buenos Aires in March 1966, to review the Alliance for Progress, the then President of Argentina, Dr. Arturo Illia, proposed a meeting of the chiefs of state of the members of the OAS. That proposal was endorsed by President Johnson during his trip to Mexico in April 1966.

I note parenthetically that it is rather ironic that Dr. Illia was deposed by a military coup and is no longer head of the Argentine Government.

There followed months of preparatory work and high-level international discussions. The Subcommittee on American Republics Affairs of the Foreign Relations Committee was briefed on the situation, as matters then stood, by Assistant Secretary Gordon and Ambassador Linowitz in executive session January 24, 1967. At that time, it was clearly indicated that some of the measures proposed would have financial implications for the United States, but the situation was still fluid and everyone concerned retained complete freedom of action.

Finally, the Foreign Ministers, meeting in Buenos Aires in February this year, agreed that the summit conference should be held in Punta del Este April 12–14. Even yet, a further preparatory commission is at work in Uruguay.

I go into this background in some detail, Mr. President, in order to contrast the meticulous manner in which the Foreign Relations Committee sought last year to avoid an unprecedented treaty commitment with the almost peremptory manner in which the Congress is now asked to commit itself through a public law.

In the President's message of March 13, he pointed out:

> I could go to the summit meeting with the President's executive authority and reach understandings with our Latin American neighbors on behalf of this country. I believe it is much more in our democratic tradition if the Executive and the Congress work together as partners in this matter.
>
> I am, therefore, going to you in the Congress not after a commitment has been made, but before making any commitment. I seek your guidance and your counsel. I have already met with some 40 of your leaders.
>
> I am asking the entire Congress and the American people to consider thoroughly my recommendations. I will look to their judgment and support as I prepare for our Nation's return to Punta del Este.

It is true that the President and his representatives consulted privately and informally with selected Members of Congress over a period of approximately 10 days before his March 13 message. It is also true, apparently, that most of those consulted indicated general support for what the President proposed. However, when Ambassador Lenowitz called on me I told him that I objected to the procedure being followed and declined to introduce the resolution.

But the result of this process, culminating as it has in the President's public message, has inevitably been to narrow the options available to Congress. If the resolution is rejected, it will be argued that the Congress has weakened the position of the President at Punta del Este. If the resolution is approved, Congress will be committing itself in advance to support courses of action which will lead, it knows not where, and which will cost, it knows not what, or as they say in Arkansas, we will have bought a pig in a poke.

This is not a very happy example of the Executive and Congress working together as partners, as the President put it.

It is specious to argue, as does the President's message, that he is going to Congress "not after a commitment has been made, but before making any commitment." The act of asking Congress to join in the proposed commitment has the inescapable effect of making it more difficult for Congress to avoid the commitment. Thus, it becomes more difficult for Congress to bring to bear on the problem the kind of independent judgment independently arrived at which the Founding Fathers intended for Congress to exercise. In short, the independent role of Congress under the Constitution will have been subverted.

This is essentially what happened in 1955 with the Formosa resolution, in 1957 with the Middle East resolution, and in 1964 with the Vietnam resolution. I voted for the resolution on Formosa, opposed the one on the Middle East, and voted for the one on Vietnam. I have since had ample cause to regret this last vote. Indeed, even at the time of the Formosa resolution, I had doubts, which I did not pursue, about the wisdom of such a procedure. Those doubts have long since been confirmed.

It may be argued that the three resolutions which I have named dealt with military action and that the resolution presented by the President on March 13 deals with economic action. This distinction is irrelevant to the constitutional question which I raised at the beginning of these remarks; namely, what is the proper role of Congress in passing judgment on proposed commitments of the Executive? How can Congress reach an independent judgment if it has to act under great pressure and without adequate time for consideration, immediately prior to the President's participation in an important international conference?

Things do not have to be done this way, Mr. President.

Consider the manner in which Congress and the President joined in committing the United States to participation in the European recovery program which, after nearly 20 years, remains our most—perhaps our only—successful venture into foreign aid. In June 1947, in his now-famous address, Secretary of State George C. Marshall said that the United States stood ready to consider how far it might be able to help Europe help itself on the road to recovery provided the European nations themselves indicated their willingness to cooperate in a joint program. In July, the nations of Western Europe responded on their own initiative and met in Paris to prepare a report setting forth their needs and the measures they were prepared to take themselves. A special committee of the House of Representatives was appointed and spent the summer and fall traveling in Europe and making its own study of the situation. Special committees of the executive branch likewise made studies, and in the winter of 1947–48 all of this labor bore fruit in congressional approval of the Economic Cooperation Act of 1948. Congress was never asked to commit itself prior to the development of the program, nor was there any suggestion that the groundwork be delayed pending congressional approval.

Mr. President, I do not like Congress being placed in the position in which it now finds itself as a result of the President's message of March 13. There is something in this which is derogatory to Congress' role as an independent and responsible branch of the Government. It is actions such as this we are now asked to take which earn Congress the epithet of "rubber stamp."

There is a curious lack of conformity between the President's message and his resolution. The message, although it leaves a great many questions unanswered, is reasonably specific as to what is intended; the resolution is couched in much more general terms. The message, for example, says specifically:

> I recommend that Congress approve a commitment to increase our aid by up to $1.5 billion or about $300 million per year over the next five years.

Incidentally, officials of Latin American governments have already rejected this amount as a pittance, wholly inadequate to their needs.

Mr. President, in that connection, I ask unanimous consent to have printed in the RECORD at the close of my remarks an article entitled "U.S. Aid Proposal Disappoints Latins," in which these words are included in its first paragraph:

> President Johnson's proposal for a $1.5 billion increase in United States aid for Latin America was described by Latin diplomats today as, "absolutely ineffective" and "a pittance."

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

(See exhibit 1.)

Mr. FULBRIGHT. Mr. President, the

resolution speaks only of making available "significant additional resources."

One and a half billion dollars is significant to us even though a pittance to Latin America. If we approve the resolution, we are approving "significant additional resources." We have had plenty of experience with how resolutions of Congress get stretched and distorted. Who can say that if we approve this resolution now, we will not be confronted a year from now with the argument that we are already committed to appropriating $1.5 billion or more, over 5 years or longer, for Latin America? And who can say a year from now that we will have that much left after meeting the costs of Vietnam? Who can say what the costs of Vietnam will be in the coming year?

The substance of this matter bothers me as well as the procedural question. The United States is already, in my view, dangerously overcommitted in the world. We are now asked to commit ourselves further in a vague resolution tied to a specific Presidential request. We are asked to sign a blank check which the President says he will fill in for $1.5 billion. This is not my idea of how to do business, especially when we do not know how much money we are going to have in the bank when the check is presented for payment and when our estimates in the past of our costs in various programs, including Vietnam, have been substantially in error.

If my memory serves me correctly, the estimates for the current fiscal year have proved to be substantially less than the amount actually spent and which will be appropriated with the new supplemental bill that will be acted upon or presented in the next week.

Now, Mr. President, leaving aside the matter of the commitment of Congress to support additional foreign aid programs, the resolution in essence asks the congressional blessing for the creation of a fully functioning Latin American Common Market, for multilateral financing of multinational projects which promote Latin American economic integration, for the expansion of Latin American trade, and for efforts to mobilize public and private resources inside and outside the hemisphere to further Latin American economic development.

These are all worthy objectives, which I support and which I believe the U.S. Government, including the Congress, should support. I hope that agreements on these objectives can be reached at Punta del Este. If such agreements are reached, I hope that members of the OAS will proceed to implement them, with the support of the U.S. Congress.

It ought to be sufficient at this time for the Congress to do no more than commit itself to support of these general objectives. We ought to leave until later any commitment as to how far we will go in implementing any agreements which might emerge from Punta del Este. We ought to know more precisely the nature of those agreements and what the other countries are prepared to do on their part. We ought not to get ourselves in a position where we will be told a year from now in connection with a situation we cannot foresee, "Oh, you cannot question that. You are already committed." I have heard that particular answer too often to subject myself willingly to it again.

Further, Mr. President, there are points in the resolution which require more mature consideration than we are now able to give them. Aside from economic integration and trade expansion, the resolution singles out increased assistance for programs of educational and agricultural modernization and the improvement of health. Why specify only those? Nobody really wants to oppose these things, but is anybody now prepared to say—and to document it—that Latin America needs these things more than it needs, say, improvements in transportation facilities, or in housing, or in water resources? Are we inadvertently—almost absentmindedly—getting the aid programs of the Alliance for Progress out of balance? I am not arguing that we are; I am arguing simply that we do not know whether we are, and that we cannot know on the basis of a study of a few days.

The distinguished chairman of the Subcommittee on American Republics Affairs, the very able and knowledgeable Senator from Oregon [Mr. MORSE] has been talking about making a new study of the Alliance for Progress and of U.S. policy toward Latin American. I hope very much that he does so. I am sure we could make better judgments about this matter with the benefit of such a study. And there is nothing so urgent about it that we cannot wait for the results of his study.

In summary, Mr. President, it seems to me inappropriate for the Congress to be asked either to disavow the President on the eve of an important international meeting or to commit itself to the open-ended financial support—in a world whose circumstances cannot be foreseen—of agreements which are yet to be negotiated.

We do not have to grasp either horn of this dilemma. There is a middle way—a simple resolution approving the objective of Latin American integration, of multilateral financing of projects contributing to it and of arms control. We will thereby have expressed our disposition to consider sympathetically proposals leading to the achievement of these objectives. But we will have kept our options open depending on the nature of the proposals presented to us and the circumstances prevailing in the world at the time.

Most important, we will have preserved the integrity of Congress as an independent branch of the Government.

EXHIBIT 1

[From the Washington Post, March 16, 1967]

U.S. AID PROPOSAL DISAPPOINTS LATINS

MONTEVIDEO, March 15.—President Johnson's proposal for a $1.5 billion increase in U.S. aid for Latin America was described by Latin diplomats today as "absolutely insufficient" and "a pittance."

Delegates preparing for the April inter-American summit conference expressed their disappointment after calculating that the projected increase, to be spread over 5 years, would amount to only $300 million a year in additional aid.

U.S. assistance to Latin America now is said to total about $1 billion a year.

When word of the Johnson proposal was received here yesterday, a formal meeting of representatives of the United States and 17 other hemisphere countries was cancelled.

Delegates from Argentina, Brazil, Chile, Peru, Colombia, Uruguay and Guatemala then met in the Brazilian Embassy. They were described by one diplomat as "indignant and disappointed."

U.S. Assistant Secretary of State Lincoln Gordon, Johnson's personal representative, said he had heard rumors that some Latin nations were planning to boycott the April 12–14 summit at Punta del Este, a seashore resort near here.

However, one of Gordon's aides, Samuel Eaton, said the division between the United States and the Latin countries was merely "a matter of clarification" and that "everything will be much better understood" after Gordon's meetings with representatives of the disgruntled countries.

Secretary of State Rusk told Congress yesterday that most of the proposed aid increase would go to improve agriculture and education. But he said some would be used to facilitate creation of a Latin American common market, a project warmly supported by President Johnson.

Mr. President, I send to the desk a resolution, which I ask to be appropriately referred.

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

The resolution (S. Res. 94) was referred to the Committee on Foreign Relations, and, under the rule, ordered to be printed in the RECORD, as follows:

S. RES. 94

A resolution to support certain objectives of United States policy with respect to Latin America

Whereas it has been a historic policy of the United States to work in close harmony with the other American Republics to promote the well-being and enhance the security of the hemisphere: Therefore be it

*Resolved,* That the Senate welcomes the meeting of chiefs of state of the members of the Organization of American States to be held in Punta del Este, Uruguay, April 12 to 14, 1967, and that the President be advised of the sense of the Senate that this Government, by constitutional process, should pursue the following objectives:

(1) The economic integration of Latin America;

(2) The further development of multilateral financing of projects which would contribute to economic integration, particularly with the participation of other free world countries;

(3) Non-discriminatory measures for the expansion of trade within Latin America and between Latin America and other areas of the world;

(4) Renewed efforts to mobilize private resources inside and outside the hemisphere to further the economic development of Latin America; and

(5) Regional arms control and disarmament measures.

SEC. 2. It is the further sense of the Senate that the United States Congress should give sympathetic consideration to ways and mains of implementing any agreements which may be reached at Punta del Este for the achievement of these objectives.

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

Mr. FULBRIGHT. I yield.

Mr. HARTKE. First, let me compliment the junior Senator from Arkansas on an excellent statement. I think it is significant that in the speech he has said, in substance, that he does not want Congress to be a rubber stamp and does not want to short circuit the legislative process, but to follow the usual proce-

dure, and not to operate on the basis of crises.

I want to demonstrate the difficulty we would be facing if we were to act on this proposal in the fashion we are asked to proceed. I hold in my hand what is called Senate Joint Resolution 53. Let me say to the chairman of the Foreign Relations Committee that at this moment I do not understand whether this is the resolution which was recommended by the administration or not. I have attempted to ascertain from the clerks whether this is the recommended resolution, and they cannot tell me. This demonstrates the folly of trying to follow the procedure we are asked to follow.

I understand the Senator bases his statement, first, on the fact that this is not the proper way to proceed or do business in Congress; second, on the matter of substance, because it shortcircuits the normal procedures in relation to committing the resources of the United States and calls for a substantial increase in the commitment of the resources of this Nation, to be delegated specifically to Latin America. I understand the Senator does not in any way want to pass judgment on the merits of what is being proposed.

Am I correct?

Mr. FULBRIGHT. That is the principal purpose. It seems to me the timing of the request and the way in which it is presented make it most difficult to justify it. As the Senator well knows, next week we have a supplemental bill scheduled. The committee has the space treaty pending before it. The Easter recess has been announced. There will be very little opportunity for hearings on this proposal in the normal course of action or procedure. The President or the other executive officials whose business this is normally make whatever agreements they feel are in the national interest. Those agreements are returned to us, and we then consider them without any great pressure, and under the normal circumstances. We have experts in the field and we consider the matter in the deliberative way which I thought was the purpose of Congress considering it, without committing us in advance.

If we pass this proposal quickly, which they apparently expect us to do, we certainly will not have such an opportunity.

Mr. HARTKE. Would the Senator call this a precommitment?

Mr. FULBRIGHT. Apparently. The resolution, together with the message which accompanied it, seems to indicate that. The message does mention the $1.5 billion, which I mentioned, and which has already raised considerable opposition from people in Latin America, as reported in the press.

Mr. HARTKE. As I understand the Senator, there is an indication that the Latin Americans consider the amount specified to be a mere pittance.

Mr. FULBRIGHT. As reported in the press.

Mr. HARTKE. We could find ourselves in the rather ridiculous position of having endorsed a pittance, and have it said, after the conference is held, that by such action the Congress has, in effect, insulted the Latin American nations by not attempting to do more and that we were able to do more.

Mr. FULBRIGHT. It has resulted in reactions already. It would be much better to proceed to the conference, have deliberate conversations, and try to have a mutual agreement, in which they and we would undertake certain things. The President would make agreements, subject to Congress' approval, in the usual way. They would understand that. It would come back and be justified. It seems to me introducing this kind of procedure is not the proper way to present these matters.

As I have said, I think in a sense it goes very far toward nullifying the independence of judgment that this body is supposed to exercise. I must say, it may be that other things that have happened have contributed to my apprehension about this procedure; but there seems to be a general attitude that if Congress cannot be relied upon to supply money for some activities, a way will be found to get around Congress, and circumvent the usual congressional function.

Recently, in connection with the well-publicized case of the National Students Association, the excuse was advanced by those defending the support of that organization by the CIA that "Well, we could not have gotten the money from Congress, therefore we did it in this way, covertly, so that Congress would not know about it."

To me, this is a subversion of the congressional process. If they could not get the money from Congress, why did they not assume that perhaps it should not be done? After all, Congress is not always idiotic. They should at least present the matter to Congress, and, if Congress turns it down, perhaps it ought not to be done. My experience leads me to be increasingly convinced of the correctness of that point of view.

Mr. HARTKE. I share the feeling of the Senator from Arkansas in that regard. I think it is a very pertinent point. The whole legislative process in designed primarily to be representative of the people. Congress itself is supposed to be the representative of the people, to create all laws, and create the authority, and to spend the money in the Treasury. If they do not decide to spend it, maybe some people in the executive branch of the Government might complain, but that appears to be the way the Constitution provides that we are supposed to run this country.

Mr. FULBRIGHT. We are certainly supposed to have a coordinate, independent part in the process. It used to be assumed, and I am sure the Founding Fathers assumed, that in the discussions and the debates which we generate in the two Houses of Congress, there is a certain refinement of the public judgment, not only in Congress itself, but through the press and through participation of the people of the country in the debate about important issues, and that thus a better judgment and a better result are obtained.

This tendency to circumvent Congress is derogatory of the separation of powers. This is a curious thing. There is a tendency now to downgrade the legislative function, in my opinion, and I think this is a small but important instance of it. I would not wish to overstate the importance of this particular resolution; I simply think the procedure is improper.

I plead guilty to having participated, in the past, in matters involving military affairs, in a similar procedure. As I look back upon it, I believe I was unwise in lending my voice to it. I did oppose the resolution on the Middle East, but I did, as I have already stated, vote for the Vietnam resolution, sometimes called the Tonkin Gulf resolution. I think now it was an unwise procedure. I believe, in that instance, if we had had hearings on a declaration of war, and had had proper, thoroughgoing discussions, at that time, of the implications of escalating the war, it might well have been that the country and Congress would have been alerted to the dangers of further escalating the war, or becoming bogged down there, and it is quite possible we would have been able to avoid it.

What a wonderful thing it would have been, if we could have avoided the tragic entanglement we are now in. So I have been very much impressed by my failure to raise the matter for discussion then; and while it may now seem a little late, when this matter was first brought to my attention by Ambassador Linowitz in my office about 10 days ago, I said to him that, unfortunately, I could not approve of the procedure; that although I had participated in such procedures before, my judgment now is that it was a mistake, and I am not too proud to try to rectify any mistakes I have made, if I feel they were mistakes. Therefore, I said I would not introduce the resolution, and that I objected to the procedure, although in a very general way I approve our seeking ways to help Latin America in its development, within our resources.

I must say that when the administration has found it necessary to cut back on our highway funds, funds that were specifically collected for that purpose, under a trust fund; when they are cutting back on the programs for the assistance of small towns in my State, and I know other States also, for sewer systems and water systems, I think we should be very careful. If our circumstances are so stringent that our own people cannot have sewer systems, then I am not sure but that we had better at least delay a little, and not make too many commitments to build the same kind of things in other countries.

In due time, if this war is ever brought to an end—and God willing, I hope it will be—then we can use more of our resources, within our means, in Latin America. Certainly I am not disposed to try to prevent that. But I say we are getting overcommitted in the world, particularly as a result of the Vietnam war. When you have to spend $75 billion, in round figures, every year for defense, there is something very serious going on.

Mr. HARTKE. Mr. President, I quite agree with the Senator from Arkansas. Let me say also, just add to his statement, that although Congress did successfully oppose these procedures, it was recommended that we take away the school lunch programs, and reduce substantially the milk programs for our own children here at home.

The differences are small, but here we are, with the Congress of the United States being asked to act upon these matters, even ones as difficult as keeping up with the matters coming back. If the Senator has difficulty, how much more difficult would it be for Congress to go into all the subjects, and make as intelligent a judgment as it can upon all the facts?

I hope the Senator from Arkansas will continue his diligence in these matters. I know of his humanitarian nature, and his sincere desire for progress throughout the world, and certainly in Latin America, and I hope everyone will understand his interest is primarily to make it possible for us to continue the things which we believe should be done, not only in our own national interest, but in the interest of all humanity.

Mr. FULBRIGHT. I thank the Senator. I emphasize that it is not just my interest around the world; recent events in this country, such as the Watts riots and similar disturbances in Chicago and in Ohio, and the difficulties with our highways, and so on, have made me begin to feel much greater urgency to do something about preventing the deterioration of our own society here at home.

Mr. MANSFIELD. Mr. President, I am indeed sorry that some difficulty has arisen about the resolution requested by the President, affecting our relations with Latin America. I did note in the press that the Latin Americans, at least some of them, in the region of Punta del Este, looked upon this $1.5 billion over the next 5 years as a "pittance." I must admit that my reaction was not very good.

When the President called 30 or 40 Members of the House and the Senate to the White House last week to discuss this proposal, the distinguished Senator from Arkansas, the chairman of the Foreign Relations Committee, did not happen to be in town, because of a prior engagement. He has indicated, however, that Mr. Linowitz, our Ambassador to the OAS, and a very honorable man, had visited him and others to discuss the nature of the resolution which was being considered.

I think that the nature of this resolution is entirely different from what was sought in the Tonkin Gulf resolution, and there I share a good deal of sympathy with the distinguished chairman of the Committee on Foreign Relations. But I think also that the President, in this instance, did try to get as many of the Members of Congress together as he could, to discuss with them, specifically, what he would like to have done and to obtain their opinions. As I recall, every single Member of the House and the Senate down at the White House that evening gave the President their support for the resolution read at that time.

The purpose, of course, of the resolution, is to furnish peripheral assistance to Latin American nations in the fields of rural modernization, health education, and the like. I am sure that some of the other areas mentioned by the distinguished chairman of the Foreign Relations Committee, while not mentioned, would certainly be given every consideration.

Moreover, as I understand it, this resolution would give the President something in the way of support from Congress when he went to meet with his peers in the summit meeting of the chiefs of state of all of Latin America.

I hope that the difficulty which seems to have arisen can be worked out. I am quite sure that full and adequate hearings will be held. Indeed, I have a particular interest in this kind of a resolution, recognizing the validity of the arguments raised by the Senator from Arkansas, because in my opinion, Latin America is the most important area of the world, and I am not an isolationist when I say that I think the Western Hemisphere, as such, is one of the most primary concerns to this country.

It should rank, I think, with Europe, Africa, Asia, Australia, and other parts of the globe, with due deference to them, and with a due recognition of their importance.

So, I am confident that in the Committee on Foreign Relations—I believe the hearings start tomorrow—we will be able to work out these differences and to have the type of hearings which the chairman desires, to the end that something constructive can be done in a peripheral sense to be of assistance to our Latin American neighbors, so that they can keep up with their great increase in population and all of the problems which that increase produces.

Mr. FULBRIGHT. Mr. President, we have scheduled hearings for tomorrow morning. I scheduled the hearings as soon as I could.

I may say, however, that I am not too sure that there is any point in the hearings because, as the Senator pointed out, the executive branch has already brought the congressional leaders down to the White House and gone over the matter.

I have been to other meetings like that meeting. The leaders are read a resolution and asked: "Are you for or against it?" This is done without any real hearings and without any real opportunity for cross-examination. One cannot cross-examine the President of the United States on the details of this kind of an agreement.

Maybe no hearings are necessary because if the leaders, if 40 Members of Congress, are already committed to it, we are going through a useless exercise in having any hearings at all.

Mr. MANSFIELD. No. Hearings are indeed necessary.

Mr. FULBRIGHT. Why are they necessary if everybody is already committed to it, if the Senator and everyone else there is committed to it?

The messages said that 40 leaders were there which means, I assume, all of the senior Members of both Houses. So, it may be useless to have hearings. I object to this procedure.

I hope the Senator understands my point. I agree with him about the importance of Latin America, but I think Congress is entitled to play some part in this matter

I do not think that Congress should be put in a position of having to commit itself in the White House without any opportunity to have an expert in the field testify, other than the Chief Executive.

No one can cross-examine the Chief Executive as a practical matter. The leaders are only in a position to say "Yes" or "No" on the general proposition when they are there. One is then supposed to support the measure when it comes here.

This has been done before. I realize that, and I do not question anybody's motives. But I think it, in effect, is destroying the independence of Congress and the opportunity to exercise independent judgment and to understand fully all that is involved and to play a part in it.

I think it is undignified for Congress to give up its independence in this fashion.

If I may say one other thing, I failed to mention a moment ago the problems of the Farmers Home Administration in my State and in other States.

Emergency loans are made by the Farmers Home Administration to established farmers in counties designated for this purpose by the Secretary of Agriculture upon his finding that a natural disaster has caused a general need for agricultural credit which cannot be met by local sources. These loans are made pursuant to section 321(b) of the Consolidated Farmers Home Administration Act of 1961.

Emergency loans are not made out of annually appropriated funds. Instead, they are made from the Emergency Credit Revolving Fund in amounts apportioned each fiscal year by the Bureau of the Budget.

There is no way to estimate when and where natural disasters will occur or the effect they will have on agricultural credit. Therefore, it has been the general practice during the past few years to start the fiscal year with an initial apportionment of $64 million, with a subsequent apportionment when this amount is not adequate to meet the needs of eligible farmers who are unable to obtain credit from normal sources.

An apportionment of $64 million was made for the current fiscal year. Currently, there are 1,189 designated emergency loan counties in 38 States. These counties were designated because of natural disasters such as drought, hurricanes, freezes, and floods during the past 2 years. There has been an unusually heavy demand for loans this year, and on February 24 the apportionment of $64 million in loan funds had been exhausted. An additional apportionment of $21 million has been requested and there are adequate funds in the revolving fund for this purpose. Actually, the requested additional apportionment may not be adequate to meet the needs of eligible farmers for the remainder of this fiscal year. It is reported that approximately $14 million in approved applications cannot be closed. It is reported also that many other applications are being held in field offices until the fund situation is resolved. As a result, many farmers are very much confused and unable to proceed with their farming operations.

I urge the Bureau of the Budget to

make the additional apportionment of $21 million without delay.

The farmers of Arkansas and other States need it now.

This is the type of thing that has happened all over this country, and as much as I think of Latin America, I must say that there comes a time when I think the kind of restrictions that the Bureau of the Budget is putting on now are not proper, and that we must take notice of domestic developments.

Mr. MANSFIELD. Mr. President, I would not disagree with the distinguished Senator from Arkansas on this matter. I do think that an applicable means can be worked out whereby the needs of both can be recognized, because I think our destiny is intertwined with the future of this hemisphere.

Mr. HARRIS. Mr. President, I have no desire to disagree with the highly knowledgeable and distinguished Senator from Arkansas [Mr. FULBRIGHT]. I certainly understand and appreciate his desire to uphold the independence of the Senate, and I commend him for it.

But, Mr. President, the tremendous importance of Latin America to our own future, the great need of our fellow human beings there, and the present feeling throughout that part of the world, which my travels indicate to me is prevalent that the U.S. interest in the Alliance for Progress is flagging, require action by the Congress in my view to strengthen the President's hand in advance of the upcoming Latin American meeting.

I, therefore, support the resolution introduced by the distinguished Senator from Oregon [Mr. MORSE], and I associate myself with the remarks just made by the distinguished majority leader [Mr. MANSFIELD].

Mr. President, over the past few months there has been a quickening in tempo of events in Latin America. Much of this activity, which has considerable short- and long-range policy significance for the United States has been relegated to the background of the foreign news coverage of our press because of happenings in Vietnam, China, and Europe.

I commend to Senators an article which was published in the Baltimore News American of February 19, 1967, reporting an interview with Ambassador Sol Linowitz, our representative to the Organization of American States, an outstanding American whom we are privileged to have in this position.

The article contains an excellent summary of what has been going on and some perceptive insights concerning what may lie ahead.

Mr. President, I ask unanimous consent to have the article printed in the RECORD.

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

LATIN VIGILANCE ON REDS URGED

Top U.S. and Latin American officials were laying the groundwork this week for the summit meeting of American presidents.

What are the major issues that will come up at such a meeting?

How strong is Communist influence in Latin America?

What is the U.S. policy toward military governments in this hemisphere?

In an interview with a Hearst panel, Ambassador Sol Linowitz, U.S. representative to the Organization of American States, gives some authoritative answers.

Asking the questions were William R. Hearst, Jr., Editor-in-Chief, Hearst Newspapers; Milton Kaplan, National Editor; Robert Thompson, Washington Bureau Chief; David Barnett, News Editor, and Marianne Means, Hearst Headline Service columnist.

TEXT OF THE INTERVIEW

Question. Juan Bosch (the former president of the Dominican Republic) told us in Santo Domingo last year that there will be other revolutions in Latin America.

Do you figure this has to erupt within the next five or 10 years, some place or another, because of their (the Communists) activities?

Answer. I shouldn't think so.

There are some spots where they are now in some positions of strength. Some of this is covert and some is overt. We know Venezuela, we know some things going on in Guatemala, but I would not think that all this is necessary going to lead to the real problem.

We have just got to be careful and we have to be vigilant. By "we" I mean all of the American republics, not just the U.S.

The OAS released a report within the month, on the tri-continental conference held in Havana a year ago. It was a thorough analysis of the whole danger of Communism and Castroism in this hemisphere and called upon all the countries to be constantly vigilant to the problem.

I think this was a very revealing and some ways disheartening indication of the fact there is something there.

Question. Is the new president of Venezuela as strong as Betancourt (the former president)?

Answer. (Raul) Leoni, he is a very strong future. He is one of the real leaders in Latin America. They had a real problem in the universities in Venezuela, of course.

Question. They have the university back. It is in the hands of the government people?

Answer. That's what they feel. At least they have it away from the Communists. On this trip which I took five weeks or so ago, each place that I went I tried to get some relationship with a university. There is a lot going on in that university ferment that I don't think we know enough about.

For example, as a lawyer myself, I am fascinated by the fact that so much of the leadership in the unrest comes from the law schools. I probed that a bit and I think one of the reasons for this is that law there is taught by dicta: this is the law. The impression there is that if you want to change this, you don't think of a change taking place gradually under law, but you really have to upset the whole apple cart and start over again.

In this country, of course, we use the case book system. The point I was making, it may go back to the way things are taught, which then rubs off on how the people react, how the universities react.

I talked to some of the leaders of the American Bar Association when I got back about trying to establish relationships with the lawyers down there.

*Economic, physical integration need*

Question. Mr. Ambassador, on the forthcoming summit meeting, what kind of things are likely to come up?

Answer. First, integration, which has two aspects—economic integration, the movement toward a common market for Latin America; and secondly, physical integration. For example, a multinational river development project here, a road development there, a telecommunication development someplace else, and so forth.

Second will be the question of how to give new life, new impact to the Alliance for Progress, especially in two areas: education and agriculture.

There is a broad recognition that education has to take some giant steps if it is really to do the job. 50 percent of the people down there are illiterate.

Of course, agriculture is a great challenge and may hold many of the answers to the future of Latin America.

Question. Are you talking about land reform or productivity?

Answer. I mean the whole sweep. I mean, not only appropriate redistribution, which means doing away with those little nonviable farms, where a man has a miniscule piece of land and he tries to develop it in order to make a living, feed himself and his family and isn't able to. This simply doesn't make sense and, therefore, you have to make it large enough for him to want to devote his life to it, give him enough incentive so he knows he can do it productively.

This calls for the other part of it, fertilizer, credit, machinery, equipment, storage, transportation facilities and all which make that land truly useful and productive so he can support himself and his family.

Question. Are we going to try to do anything about population growth eating up economic growth in a sense?

Answer. I can only answer it this way: you are right, it is a problem and we know it is a problem.

It is one thing to say that you can increase your agricultural productivity, but if your mouths are increasing as fast or faster than your food is increasing you are not making real progress. For example, in some places there is no more food per capita than there was five years ago.

Question. It is worse?

Answer. In some places perhaps a little bit worse.

Question. Does the cancellation of (Chilean) President Frei's visit here have any political implications for the meeting or indicate there is still a considerable resentment in Latin America toward the United States?

Answer. I don't believe that. It was most unfortunate that the Frei visit had to be canceled because it would have been extraordinarily useful in terms of hemisphere relationships. This visit was canceled, however, in overwhelming part because of internal problems in Chile. It would be a mistake to read into this an anti-American outburst of any significance.

*Alliance growth to move faster*

Question. In the context of the Charter of Punta Del Este, which established guidelines for the Alliance, how well have the countries moved along with the reform?

Answer. Quite well. Not as well as everyone might have hoped to begin with, not as well as we feel they will be moving in the next few years, let me say. It, of course, was an ambitious program launched in the charter.

Part of it called for economic advances and this was in measurable terms. It called for economic growth at the rate of 2.5 percent per capita per year. It called for land reform, increased agricultural output, elimination of adult illiteracy and so forth.

Well you know these are things that just don't happen and the fact that you say we dedicate ourselves to these objectives doesn't make them happen. But economically in 1964 and 1965, as an illustration, they went over the 2.5 percent per capita. Last year it was a little less than 2 percent or so.

Question. Were the expectations too high in the beginning and now we have moved to a more realistic concept of the length of time it is going to take?

Answer. I think that is probably fair. It is always easier to sound wise in retrospect. I think probably the excitement of the vision, President Kennedy's launching under the circumstances he did and with the impact it had, probably did raise expectations. But I think the Alliance for Progress now is doing far more than has ever been done.

Question. Is the whole action geared better and doing better?

Answer. Yes. I think that what has happened now is that first, the leadership in these countries today is more aware of what has to be done to move a country forward.

You have men like Frei and (Peruvian president) Belaunde, Columbian President Carlos Lleras and Leoni of Venezuela. These are men who have an understanding of the economic, the social, the geopolitical, the factors which go into the development of the nation and the things which will move it forward.

Question. Do you include the president-elect of Brazil in this new breed you are talking about?

Answer. I have not mentioned him because, first, I don't think we yet know exactly what kind of president Costa e Silva will be.

*Keep open mind on all countries*

Question. Apparently his election seems to have brought to the fore again the problem of our support of potential military dictatorships in Latin America. Do you have a feeling it might be necessary to have a semi-authoritarian or authoritarian regime in some of these countries in order to get the job done?

Answer. We are in a sense confronted with this situation in the case of an Argentina or a Brazil. On the one hand we cannot prescribe the kind of government other countries ought to have. For too long we have been accused of sitting up here and laying out the prescription of how to make a better American way of life in Colombia or Brazil or Argentina or Chile or anywhere else.

If these countries are to be truly mature, they must have the wisdom to select their own leadership. If we do it for them, I think we are acting unwisely and we are acting in a way that doesn't further the growth of the independent countries in this hemisphere.

Secondly, we are deeply committed to the encouragement of constitutional democracies.

President Johnson has said we have a "special friendship" for those countries which are dedicated to the social justice and progress of all their people, and he has made clear that our policy is to work most closely with those countries which are following the path of constitutional democracy.

Now, when a government comes into power through a military act rather than through a duly-established constitutional process, obviously it doesn't please us, for it is inconsistent with the strengthening of constitutional government.

But you also have to ask the question why did it happen, where is it going, and what is the prospect that out of it will ultimately emerge a move toward the right kind of a constitutional democracy.

As to our own policy, I think, we have to reenforce what the President has said, that our special friendship is particularly to those countries which have constitutional democracy or are moving toward constitutional democracy.

We have to be open-minded, however, and not assume that just because a man in uniform has come to the helm that he is not necessarily going to move in the right direction.

Question. Mr. Ambassador, are you saying among the dictators, or at least military men, there is a new thought that there has to be a social revolution rather than drain the country dry?

Answer. I think that's probably true.

Question. Mr. Ambassador, you were speaking before about the vitality of the OAS. It has been said many times that the administration's action in sending Marines to the Dominican Republic really undercut the power of the OAS and more recently the fact that the OAS Human Rights Commission apparently did not send the fact-finding group down when the opposition candidate in Nicaragua, his chief spokesman, was jailed and beaten, that again pretty much undercut the OAS.

Answer. They are quite separate. Under OAS auspices a truce was imposed in the Dominican Republic, a provisional government was established which did lay the groundwork for free elections, such elections did take place and, after the government was in, the OAS did withdraw.

All these things, I think, did give the OAS a stature and an importance and I think a role in our hemisphere that it never had before.

*Talk has subsided*

Question. Except that we went in before the OAS was brought in.

Answer. As I say, I am not trying to gloss over that, because I just don't know whether . . . if we could run the reel all the way back, whether we should have played it exactly that way. I really don't know.

What I am saying is that it came out in a way that does help the OAS and, for example, on this trip, nowhere, not a single place did anyone talk about the Dominican experience unfavorably.

Now, with reference to the Nicaraguan matter, there the problem was whether the Human Rights Commission, which had been asked by some groups to look into the situation, should have sent a representative there.

They did volunteer. They did ask to have a representative go. This was rejected by the government of Nicaragua. Under the authority of the Human Rights Commission as presently spelled out, they can only go upon invitation.

Now, are you raising a question, should their authority be greater? I think it's worth looking at, and I think they are conscious of this.

Question. Mr. Ambassador, what was the feeling of the Latin American leaders that you talked to about President Johnson personally and as a leader of the country compared to their feelings about President Kennedy?

Answer. Of course, President Kennedy has a unique place in Latin America. There was the promise associated with him. He was then cut off before the fulfillment and this had a deep, personal traumatic effect on people all through Latin America.

With reference to President Johnson, I found only good will to President Johnson, but a feeling that they wished they knew him better.

If you want my own judgment, it is that he would be utterly simpatico with them, and they would feel that way toward him in Latin America. I think that this is a man whom they can understand and who will understand them.

Question. Mr. Ambassador, it has been said that one of the problems in our relations with Latin America is between the non-Communist left and chaos and Communism. Do you have any feeling about that problem?

Answer. I will put it this way. I think there is a revolution going on and I think that revolution is either going to come through established procedures, through working to bring these people forward peacefully, or else there is going to be violent revolution.

When you spell out this dream of what can be theirs, one of two things happen. Either you help them fulfill it or else you frustrate it. And if you frustrate it, they are going to explode with greater violence than before you gave them the vision.

Now, putting labels on it, the Communist notion, of course, is the explosive notion. According to them you are never going to get things by a peaceful revolution, you have to upset everything and you have to take it.

The other idea sees a hope for change which can come gradually, working through modification of the existing structures.

Question. Mr. Ambassador, how would you equate the fear of Communist violent revolution and also Communist subversion in Latin America today with say 1960, at the time Castro took over in Cuba?

Answer. I would guess it's considerably less. First there is a greater understanding that subversion is a danger and you don't close your eyes to it.

Secondly as far as the revolution goes, I think here the Alliance for Progress has played a great role. What the Alliance did, of course, proves there is a better way to get a better life without violent revolution.

*Reexamining Cuba problem*

Question. Is there any predictable course of relationship with Cuba?

Answer. We have not seen any sign that Castro is ready to do anything that is inconsistent with what led the OAS to the course we are on. There are two things which the OAS has consistently said that must cease before we can work with him.

One, he has to stop exporting Communism in the hemisphere, and, two, there has to be some indication that this isn't a Soviet operation for the purpose of keeping an arm of Communism in our hemisphere.

The tricontinental conference indicated distressingly that both of these things are in full swing. Now, that's one part of the answer.

The other part is that, I believe, we must keep constantly re-examining the situation such as this one in the light of new developments.

Question. Would it be fair to say that, if, say, we made some more durable arrangement with the Soviet Union, that that sort of change might possibly open up the possibility of a dialogue between Castro and the United States?

Answer. Certainly this is a factor that ought to be weighed in determining whether there is any reason to modify policy in any respect.

Question. Mr. Ambassador, getting back to the birth control question. In Latin America, do you find interest among the leaders, and is there a religious barrier there to its really catching hold?

Answer. The idea is catching hold with some of the leaders. As far as the religious barrier goes, again that is uneven. A bishop who is liberal in a particular country, who is more amenable to exploring birth control measures can make quite a difference. But there is no question but that there is a far greater awareness now of these measures than there has been in the past.

Question. Where do you think the summit will be?

Answer. The indications are that it will be in Punta Del Este in Uruguay.

Mr. HARRIS. Mr. President, the statements of Mr. Linowitz in this interview indicate him to be a man who brings unusual powers of perception and understanding to consideration of hemisphere affairs.

Six years ago our Nation joined with our Latin American neighbors in a bold experiment to prove that economic, social, and political change can be brought about peacefully. The stakes are high. For if we fail, we will not only find ourselves in an increasingly volatile and unstable hemisphere, but also those in Latin America, Asia, and Africa who believe that representative democracy is the type of government which can best serve the people in the modern world will have been weakened.

At the time of the meeting at Punta del Este when the Alliance for Progress was created, there were near chaotic political situations in a number of Latin American countries. Deteriorating eco-

nomics in some portended even greater difficulties. Castro was still an important figure and the eyes of the continent were firmly focused on the small Uruguayan resort town to see what alternatives would be posed.

As President Johnson pointed out in his message to us about the upcoming summit meeting, the groundwork of cooperation necessary for the success of the 1961 Punta del Este Conference had been laid by the establishment of the Inter-American Bank in 1959 and the Act of Bogotá in 1960 under President Eisenhower. These events were harbingers of the most dynamic and innovative development ever to affect the lives of our neighbors—the Alliance for Progress.

In his message the President has listed some of the many accomplishments under the Alliance. They are indeed impressive. Surely we would all like to have seen a more rapid pace of advancement; but our successes have been many, and much difficult spadework has been done that will permit accelerated progress.

It is always prudent to keep in mind that our contribution to the Alliance, while considerable when viewed as a whole, is only a small part of the total resources being invested in developing Latin America. Our aid is critical, however, in serving as a catalyst to bring about the changes we all wish to see and often is the additional investment which can make the difference between forward movement or stagnation.

Self-help is the keynote of the Alliance, and I was pleased to note the President's reaffirmation of the emphasis we place on this vital point.

The proposals for Latin American Economic Integration are indeed historic in significance. Certainly the task of integration is difficult and complex, but the fruits of success can be enormous. Many private groups and individuals in this country, including prominent trade organizations, have favored the Latin American Common Market concept, and I believe we should give our strong support to the movement. The President's proposals for our role in furthering economic integration, including the Common Market, appear realistic yet flexible enough to permit our representatives at the Conference to be of maximum effectiveness.

While I do not wish to go into any detailed analysis of the various programs the President proposes, I note that a sizable amount of the funds which will eventually be required are in the development of human resources. A common market, multinational projects, and infrastructure investment are obviously essential if Latin America is to achieve the goals of the Alliance, but perhaps the most important single thing we can do is to stimulate investment directed at the individual. For it is the Latin citizen, his productivity, and his motivation, that are in final analysis going to make the difference in whether democracy wins or loses in that part of the world. I anticipate that our AID programs aimed at human development will receive an increasing share of our total expenditures.

I strongly favor the recommendations concerning Latin America which the President has submitted for our consideration and hope that the Senate will make clear its recognition and support of the challenging and promising course which is now being chartered for the future of this hemisphere.

## ORDER FOR ADJOURNMENT TO MONDAY

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 Monday.

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

## SALE OF CERTAIN LAND IN LANDER, WYO.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 71.

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

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 219) to authorize the Secretary of Agriculture to sell certain land in Lander, Wyo., and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill which was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 219

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Agriculture is authorized to convey by quitclaim deed, for not less than fair market value, all right, title, and interest of the United States in and to lots 4 and 5, block 16, in the original town of Lander, Wyoming, and the improvements thereon and to apply the proceeds of such sale to the purchase of other land in or near Lander and the construction thereon of similar improvements.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 68), explaining the purposes of the bill.

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

This bill would authorize the Secretary of Agriculture to sell two lots in Lander, Wyo., for their fair market value and invest the proceeds in other lands and similar improvements. The committee reported an identical bill, S. 433, on October 18, 1966, which was passed by the Senate on October 19, 1966.

## THE U.N.'S ROLE IN OBTAINING AN HONORABLE SETTLEMENT OF THE VIETNAMESE CONFLICT

Mr. MANSFIELD. Mr. President, on Monday night last, I delivered an address at the University of North Carolina which dealt mainly with international affairs and, in particular, with Vietnam. Among other things, I noted that there had been a valiant effort, via traditional diplomatic channels, by the distinguished Secretary General of the United Nations, U Thant, and others, to bring about negotiations for an honorable settlement of the conflict. I had been aware of this diplomatic effort ever since a meeting with Ambassador Goldberg and U Thant in New York where I had gone by request of the President last November.

The secret diplomacy which was intense, concerted, and prolonged, however, apparently failed to produce any tangible result. Just recently both U Thant and the able U.S. Ambassador to the U.N., Mr. Arthur Goldberg, indicated as much in remarks on their return to New York from abroad.

This failure of secret diplomacy, Mr. President, prompted me to stress again at the University of North Carolina, as I had at Johns Hopkins University last November at the time that the intense diplomatic effort had just begun, that the U.N. had a responsibility as an organization to try to contribute to a solution in Vietnam—a responsibility which could not be expressed solely through the diplomacy of its able and dedicated Secretary General. I suggested, again, therefore, that the United States, as a member, which along with the others had assumed the solemn treaty obligations of the charter might take two initiatives in the Security Council in an effort to bring the apparatus of the U.N. organization into the Vietnamese situation. It was proposed:

First. That we move to bring to a vote a procedural resolution to invite all deeply involved in Vietnam, including North Vietnam and China, to meet in the Security Council for a face-to-face consideration of the situation in Vietnam and its possible solution;

Second. That we obtain a vote on a resolution which would request the International Court to render an advisory opinion on the applicability of the Geneva accords of 1954 and 1962 to the current situation in Vietnam as well as the obligations which these accords might place on all belligerents, direct and indirect, in Indochina.

I note with interest, Mr. President, that in the last day or two, there have been press reports of new efforts, again through the channels of secret diplomacy, to bring about negotiations. Once again, the reports indicate that these efforts involve, among others, Eastern European diplomats and the Secretary General and reference is also made to Japanese and Canadian diplomats.

The renewal of this sort of diplomatic activity, of course, is to be welcomed. Past experience, however, does not lead to sanguine expectations. With all due respect to the diplomats who are mentioned in these current press reports, I do not think that the coverage, so to speak, is adequate. Japan, Poland, Canada, the Soviet Union, and others have an unquestioned concern with the restoration of peace in Vietnam. Yet there are limits to their capacities to make a contribution in this connection. In my judgment, if there is to be peace in Vietnam the need remains for a direct confrontation of views between all of the principals. There is still the need for an open discussion of the conflict which will embrace, among others, not only the

Soviet Union and the United States who are members of the U.N. but also China and North Vietnam who are not.

It is entirely precedented and in order for the Security Council to provide the forum for that kind of meeting of members and nonmember states alike. While welcoming the new interest in a search for negotiations by secret diplomacy, therefore, it would still be my judgment that initiatives on the part of the United States which would seek to bring to a vote in the Security Council an invitation to all nations directly and indirectly involved in Vietnam and a request for an advisory opinion from the World Court on the current relevance of the Geneva accords would be initiatives for peace.

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## PRESIDENT JOHNSON AND PREMIER KOSYGIN SHOULD MEET NOW

Mr. RIBICOFF. Mr. President, as a man sorely troubled and deeply concerned, I rise to talk about problems that concern all of us.

In every season our vision is fixed on a world of peace and freedom. But now, in the spring of the year—as people of different faiths approach religious observances of freedom and the salvation of man—our hopes and prayers reach even more earnestly for the world of our vision. Our thoughts and study center on the means for getting there.

The war in southeast Asia is like the ignited end of a high explosive—burning slowly up the fuse. All of us are concerned with the dangers implicit in the situation. No one is more aware of the dangers of unlimited war than President Johnson, who yesterday again detailed our Nation's policies, programs, and hopes for peace in Vietnam. All Americans are united in purpose—to bring the war to an end. We in the Senate have taken our responsibilities seriously—we have offered proposals and advice. No man can be faulted for that. So, too, on critical appropriations measures, we have supported our country's men in the field. No man should find fault with that. The President—who bears the ultimate responsibility for our course of action—has been decisive, and has persevered. Let no man fault him for his courage and his will. And let no man mistake separate voices for divided purposes. What we seek is peace—but more than that, we seek an honorable settlement. Few men—and certainly none in the Senate—have urged peace at any price. The Nation vigorously and correctly rejects the thought.

We have lent our prestige, our resources, and the lives of our men to battle in a distant, tiny country. Why do we fight? Much discussion has centered around theory. We have talked of dominoes, self-determination, treaty commitments, and letters 13 years old; and while we talked, assistance turned into advisers—advisers into troops—ground war into air war. The discussion still rages about theory. I suggest we confine ourselves to the realities.

Vietnam is not a static situation. It is made of quicksilver and is in constant change. It is worthwhile to review some of the more striking changes of the past few months.

First, Vietnam must always be viewed against the background of China, which looms with its millions just to the north. Mao Tse Tung once ruled mainland China with an iron hand. Now there is chaos within Red China. That chaos within may not have curbed China's zeal for domination without—but the vigor with which China can prosecute her drive is greatly diminished. The successful counterrevolution in Indonesia has further weakened the threat to China's neighbors.

The Soviet Union, in turn, has increased its influence in North Vietnam and in the Communist world. As the clash between China and Russia continues, the rift between them broadens.

Second, in South Vietnam itself, the United States' military position has been greatly strengthened. We know, as the President pointed out yesterday, that this is not a war in which progress can be measured by a line on the map. But, at the same time, we know that the courage of American men has been superb. We know that they have faced a wily enemy and won success after success. We can watch the defector rate increase, and enemy casualties climb.

As Secretary McNamara stated in his testimony before the Committee on Armed Services and the Subcommittee on the Department of Defense of the Committee on Appropriations:

> The Free World forces have won every major battle since their commitment in South Vietnam, and I believe it has been conclusively demonstrated that the Viet Cong main force units are simply not capable of winning any major battle against U.S. forces.

The Secretary also said:

> I can tell you that the military progress in the last 12 months has been very substantial, and has actually exceeded our expectations.

The commitment of men and resources by the United States has established a solid military position in South Vietnam which, barring the most unexpected developments, will not be reversed.

Moreover, South Vietnam has made real and encouraging progress in the fragile process of building a stable political structure. The spirit of cooperation among the members of the Constituent Assembly gives real promise of constructive steps and more progress ahead. The fabric of a society torn by three decades of war gives promise of being mended. Political institutions are taking root.

Third, and most significant, is the role of the Soviet Union. Today, Russia furnishes North Vietnam with an increasingly large proportion of arms and materiel for war. Secretary McNamara testified in January:

> Between 80 and 90 percent of North Vietnam's war materiel is imported—most of the small arms and ammunition from Red China—but almost all of the sophisticated (weapons)—jet aircraft, surface-to-air missiles, and anti-aircraft guns . . . comes, we believe, from the Soviet Union and her satellites.

In terms of value, most of the military hardware comes from the Soviet Union. It is clear that without Soviet assistance, the back of the North Vietnamese military effort in South Vietnam would be broken.

This effort of the Soviet Union is carried on, however, against a background of increasing East-West diplomatic activity.

We in the Senate have just ratified the Consular Treaty with the Soviet Union. That is one result of diplomatic activity.

In Geneva, our representatives are meeting with the Soviets to discuss the implementation of a treaty to bar the proliferation of nuclear arms—and that diplomatic activity, although fraught with problems, gives increasing promise of eventual success.

A treaty to bar weapons from space has been signed by the Soviet Union and the United States, and awaits ratification by this body. That treaty is another result.

The President has disclosed the response of Premier Kosygin to our invitation to discuss a reduction in the escalation of the arms race—especially with regard to the deployment of the antiballistic missile. The response was cool, but at least indicated willingness to discuss "means of limiting the arms race in offensive and defensive nuclear missiles."

The Soviet Union has indicated some willingness to support the United Nations as an institution for the maintenance of peace. The most recent evidence of increased support by the U.S.S.R. for the U.N. was its strong encouragement for the reelection of Secretary-General U Thant last autumn.

It is clear that the Soviet Union—like the United States—has much at stake in the world. It is equally clear that the United States and the Soviet Union must continue to be concerned with the maintenance of world peace—not only because these two nations have the greatest power to make war, but also because each stands to suffer the gravest consequences from world holocaust.

I believe the time has come and is now appropriate to initiate steps leading to a meeting of Premier Kosygin and President Johnson. Such a meeting would be wise, in my view, for several reasons:

First. As cochairman with Great Britain of the Geneva Conference, the Soviet Union holds an important key to the initiation of discussions concerning Vietnam.

Second. As a principal supporter—in arms and materiel—of the war efforts of North Vietnam, the Soviet Union has within its power the ability to reduce substantially the scale and scope of North Vietnamese military activities.

Third. The United States and the Soviet Union face critical decisions on the installation and deployment of antiballistic missile systems. The security of the United States and the expenditure of $40 billion is at stake in this Nation—the spiraling course of the arms race is at stake in the world.

Fourth. The possibility of reducing our troop commitments in Western Europe holds out an opportunity for reciprocal reductions by the Soviet Union—a course

that could further reduce tensions in that part of the world.

Fifth. Leaders of the Soviet Union and the United States have not met since 1961. President Johnson and Premier Kosygin have never met. As a general matter, it is wise, from time to time, to talk to one's neighbors on this planet in face-to-face discussion.

The fifth special session of the United Nations General Assembly is scheduled to open on April 21. The session is intended to undertake a "comprehensive review of the whole question of peacekeeping operations in all their aspects."

No topic could be more timely, or of greater concern to the world. The Soviet Union—like the United States—should lend its full cooperation in this attempt to provide adequate and continuing support for an effective peacekeeping U.N. function.

To accomplish this—to provide adequate and continuing support—will require that the efforts of this special session be given prestige, status, and impetus. These could be contributed by the United States and the Soviet Union through the presence of their respective leaders.

The appearance of the President and the Premier at the United Nations would afford an opportune time for a meeting of informal and private discussions—and if the discussions are to be productive, they must be held in privacy. The agenda could include any or all of the important problems facing the two nations today—including, I would hope, Vietnam.

If it is not possible to arrange discussions on the occasion of the fifth special session, then I believe steps should be taken leading to a meeting of the two leaders in the near future elsewhere in the world.

In our search for peace, we can leave no approach unexplored—no avenue untried. For war is abroad in the world—in a world now too small for war. War in our time could mean the end of life as we know it—even the end of mankind.

Our goal is clear. As the President has said, it is a "peaceful, just world we all seek." Our search must be unending. For peace—God's most precious gift—must not elude us.

## TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 6098) to provide an extension of the interest-equalization tax, and for other purposes, in which it requested the concurrence of the Senate.

## HOUSE BILL REFERRED

The bill (H.R. 6098) to provide an extension of the interest-equalization tax, and for other purposes, was read twice by its title and referred to the Committee on Finance.

## EXECUTIVE COMMUNICATIONS, ETC.

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

FURNISHING OF CERTAIN INSPECTION SERVICES BY SECRETARY OF AGRICULTURE

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the act of August 28, 1950, enabling the Secretary of Agriculture to furnish, upon a reimbursable basis, certain inspection services involving overtime work (with an accompanying paper); to the Committee on Agriculture and Forestry.

REPORT ON 1966 SOIL BANK CONSERVATION RESERVE PROGRAM

A letter from the Under Secretary of Agriculture, transmitting, pursuant to law, a report on the 1966 soil bank conservation reserve program (with an accompanying report); to the Committee on Agriculture and Forestry.

REPORT ON MILITARY CONSTRUCTION AWARDED WITHOUT COMPETITION

A letter from the Director, Contract Administration, Naval Facilities Engineering Command, Department of the Navy, transmitting, pursuant to law, a report on military construction awarded without competition, for the 6-month period ended December 31, 1966 (with an accompanying report); to the Committee on Armed Services.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954, TO PERMIT CHARGES FOR CERTAIN FORMS AND SERVICES

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 to permit charges for certain forms and services (with accompanying papers); to the Committee on Finance.

REPORT ON FEASIBILITY OF DEVELOPING CERTAIN WATER RESOURCES OF THE RED RIVER, TEX.

A letter from the Secretary of the Interior, reporting, pursuant to law, on the feasibility of developing the water resources of that portion of the drainage areas of the Salt Fork and Prairie Dog Town Fork of the Red River lying in the State of Texas for municipal and industrial water, and for other purposes; to the Committee on Interior and Insular Affairs.

REPORT OF BOY SCOUTS OF AMERICA

A letter from the chief scout executive, Boy Scouts of America, transmitting, pursuant to law, a report of that organization, for the year 1966 (with an accompanying report); to the Committee on Labor and Public Welfare.

PAYMENT OF A HIGHER PROPORTION OF HOSPITAL COSTS OF CERTAIN VETERANS

A letter from the Administrator of Veterans' Affairs, Veterans' Administration, Washington, D.C., transmitting a draft of proposed legislation to amend section 620, title 38, United States Code, to authorize payment of a higher proportion of hospital costs in establishing amounts payable for nursing home care of certain veterans (with an accompanying paper); to the Committee on Labor and Public Welfare.

AMENDMENT OF FEDERAL VOTING ASSISTANCE ACT OF 1955

A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend the Federal Voting Assistance Act of 1955 (69 Stat. 584) (with an accompanying paper); to the Committee on Rules and Administration.

PROPOSED AMENDMENT TO S. 611 AND H.R. 3647

A letter from the Chairman, U.S. Atomic Energy Commission, Washington, D.C., transmitting a draft of a proposed amendment to S. 611 and H.R. 3647 (with an accompanying paper); to the Joint Committee on Atomic Energy.

## REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with an amendment:

S. 307. A bill to amend the Indian Claims Commission Act of 1946, as amended (Rept. No. 72).

## EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. RUSSELL. Mr. President, from the Committee on Armed Services, I report favorably the nominations of 132 flag and general officers in the Navy, Marine Corps, and Air Force. I ask that these nominations be placed on the Executive Calendar.

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

The nominations, ordered to be placed on the Executive Calendar, are as follows:

Capt. Rufus J. Pearson, Jr., U.S. Navy, for appointment to the grade of rear admiral;

Capt. Thomas B. Owen, U.S. Navy, to be Chief of Naval Research in the Department of the Navy;

Lt. Gen. Richard C. Mangrum, U.S. Marine Corps, for appointment to the grade of lieutenant general on the retired list;

Lt. Gen. Alpha L. Bowser, U.S. Marine Corps, for appointment to the grade of lieutenant general on the retired list;

Lewis W. Walt, and sundry other officers, for promotion in the Marine Corps;

Vice Adm. Andrew McB. Jackson, Jr., U.S. Navy, for appointment as a senior member of the Military Staff Committee of the United Nations;

Vice Adm. John S. McCain, Jr., U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of admiral while so serving;

Rear Adm. Walter H. Baumberger, U.S. Navy, and Rear Adm. William I. Martin, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admirals while so serving;

George A. Weaver, Charles N. Paxton, and Howell E. Wiggins, Reserve officers, for promotion to the grade of rear admiral; and

Brig. Gen. Larry A. Smith, Regular Air Force, and sundry other officers, for promotion in the U.S. Air Force.

Mr. RUSSELL. Mr. President, in addition, I report favorably 1,117 appointments and promotions in the Army in the grade of colonel and below, 5,539 appointments in the Marine Corps in the grade of lieutenant colonel and below, and 347 appointments in the Air Force in the grade of captain and below. Since these names have already appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

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

The nominations, ordered to lie on the desk, are as follows:

Paul R. Aadnesen, and sundry other officers, for promotion in the Marine Corps;

Lester W. Abrams, and sundry other officers, for promotion in the Regular Army of the United States;

Patricia A. Maas, and sundry other officers, for promotion in the Marine Corps;

Robert L. Houk, and sundry other persons, for appointment in the Regular Air Force;

Thomas R. Abel, and sundry other distinguished graduates of the Air Force precommissioned schools, for appointment in the Regular Air Force;

Stanley C. Abromaitis, and sundry other students of the Air Force Reserve Officers' Training Corps, for appointment in the Regular Air Force;

William H. Willoughby, and sundry other persons, for appointment in the Regular Army of the United States; and

Charles F. Abene, and sundry other officers, for appointment in the Marine Corps.

## BILLS INTRODUCED

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

By Mr. PROXMIRE (by request):

S. 1306. A bill to assist cities and States by amending section 5136 of the Revised Statutes, as amended, with respect to the authority of national banks to underwrite and deal in securities issued by State and local governments, and for other purposes; to the Committee on Banking and Currency.

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

By Mr. CLARK:

S. 1307. A bill to eliminate the requirement that the Federal Reserve banks maintain certain reserves in gold certificates against Federal Reserve notes; to the Committee on Banking and Currency.

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

By Mr. CLARK (for himself and Mr. JAVITS):

S. 1308. A bill to further promote equal employment opportunities of American workers; to the Committee on Labor and Public Welfare.

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

By Mr. TALMADGE:

S. 1309. A bill for the relief of Dr. Angel Manuel Ferro; to the Committee on the Judiciary.

By Mr. MOSS:

S. 1310. A bill to amend the act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920 (41 Stat. 437; 30 U.S.C. 181); and

S. 1311. A bill to amend the Mineral Leasing Act of February 25, 1920, as amended; to the Committee on Interior and Insular Affairs.

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

By Mr. HAYDEN (for himself, Mr. KUCHEL, Mr. FANNIN, Mr. MOSS, Mr. BENNETT, Mr. MONRONEY, Mr. HARRIS, Mr. HARTKE, Mr. BAYH, Mr. INOUYE, Mr. FONG, Mr. TOWER, Mr. RANDOLPH, Mr. THURMOND, and Mr. SCOTT):

S. 1312. A bill to exempt from the antitrust laws certain combinations and arrangements necessary for the survival of failing newspapers; to the Committee on the Judiciary.

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

By Mr. DODD:

S. 1313. A bill to declare that a portion of the waterway in the town of Groton, Conn., known as Poquonock River and Baker Cove, be deemed nonnavigable for certain purposes; to the Committee on Public Works.

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

By Mr. MAGNUSON (for himself and Mr. HARTKE by request):

S. 1314. A bill to amend section 303(b) of the Interstate Commerce Act to modernize certain restrictions upon the application and scope of the exemption provided therein; to the Committee on Commerce.

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

By Mr. YARBOROUGH (for himself and Mr. TOWER):

S. 1315. A bill to authorize the construction of extensions of the American Canal at El Paso, Tex., operation and maintenance, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. BURDICK:

S. 1316. A bill to amend the Bankruptcy Act and the civil service retirement law with respect to the tenure and retirement benefits of referees in bankruptcy; to the Committee on the Judiciary.

By Mr. BYRD of Virginia:

S. 1317. A bill for the relief of Paul Christos Virvos and Dimitrios "James" Christos Virvos; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 1318. A bill to provide improved judicial machinery for the selection of juries, and for other purposes; and

S. 1319. A bill to provide improved judicial machinery for the selection of Federal juries, and for other purposes; to the Committee on the Judiciary.

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

## RESOLUTION

### TO SUPPORT CERTAIN OBJECTIVES OF U.S. POLICY WITH RESPECT TO LATIN AMERICA

Mr. FULBRIGHT submitted a resolution (S. Res. 94); which was referred to the Committee on Foreign Relations.

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

## BILL TO PERMIT NATIONAL BANKS UNDERWRITING OF STATE AND LOCAL REVENUE BONDS

Mr. PROXMIRE. Mr. President, I am introducing, by request, a bill to permit national banks to underwrite municipal revenue bonds. The Glass-Steagall Act of 1933 divorced investment banking from commercial banking and prohibited banks from underwriting securities except for Federal obligations and the general obligations of State and local governments. Since the 1930's, State and local governments have financed a growing proportion of their debt through revenue bonds as opposed to general obligation bonds.

The proposal to permit national banks to underwrite revenue bonds has been before the Congress for some time. In 1963 and again in 1965 the House Committee on Banking and Currency held hearings on similar measures.

The central argument in favor of this legislation is that it would reduce interest charges on State and local debt by increasing competition in the bond underwriting field. Proponents have argued the annual savings to State and local governments could average between $50 and $100 million per year. The opponents, who are primarily investment bankers, have disputed this claim and have argued savings, if any, would be minimal. The opponents have further argued that, in return for little or no benefit, the bill would place banks in a conflict of interest and jeopardize sound banking practicies.

The evidence on the question of reducing interest charges on revenue bonds through increased competition is not overwhelming on either side. I have not seen satisfactory evidence which would either prove or disprove the claim that bank competition in underwriting revenue bonds will reduce costs to State and local government. And yet this is the crucial factual question which needs to be answered before Congress can make a competent judgment as to the general desirability of banks underwriting revenue bonds from the standpoint of sound banking practices.

I am, therefore, introducing such a bill, and I am hopeful that hearings before the Senate Committee on Banking and Currency can bring out the essential facts needed to make a sound judgment.

Mr. President, I ask unanimous consent that the text of the bill and an explanation of its provisions be inserted in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and the explanation will be printed in the RECORD as requested by the Senator from Wisconsin.

The bill (S. 1306) to assist cities and States by amending section 5136 of the Revised Statutes, as amended, with respect to the authority of national banks to underwrite and deal in securities issued by State and local governments, and for other purposes, introduced by Mr. PROXMIRE, by request, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 1306

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That paragraph "Seventh" of section 5136 of the Revised Statutes of the United States, as amended (12 U.S.C. 24), is hereby amended by adding the following new sentences at the end of such paragraph: "The limitations and restrictions contained in this paragraph as to dealing in and underwriting investment securities shall not apply to all other obligations issued or guaranteed by or on behalf of a State or any political subdivision thereof or agency of a State or any political subdivision thereof (except special assessment obligations and industrial development obligations) which are at the time eligible for purchase by a national bank for its own account, except that (1) no association shall hold such obligations of any one obligor or maker (other than general obligations of a State or political subdivision thereof) as a result of underwriting, dealing, or purchasing for its own account (and for this purpose obligations as to which it is under com-

mitment shall be deemed to be held by it) in a total amount exceeding at any one time 10 per centum of its capital stock actually paid in and unimpaired and 10 per centum of its unimpaired surplus fund, (2) the purchase of such obligations by a national bank as fiduciary from such bank as an underwriter or dealer shall not be permitted unless lawfully directed by court order, (3) no association may purchase such obligations as fiduciary from a member of a syndicate in which such association is participating until the syndicate has closed as to underwriting, and (4) any sales of such obligations by an association to any of its depositors or borrowers or to any correspondent bank (whether for such bank's own account or as trustee) must be accompanied by a disclosure in writing to the purchaser that the association is selling as an underwriter or dealer. For purposes of this paragraph the term 'industrial development obligation' shall mean an obligation, not secured by the full faith and credit of the issuer, payable solely from the rentals received by the issuer from the letting of property to private manufacturers for the principal purpose of manufacturing articles for sale if such obligations have been issued to finance the acquisition, construction, equipment, or other development of such property and such property is held or to be held by the issuer for the principal purpose of such letting and not as part of or incidental to another project of the issuer."

The explanation presented by Mr. PROXMIRE is as follows:

ANALYSIS OF BILL "TO ASSIST CITIES AND STATES, ETC."

The proposed bill amends paragraph 7 of section 5136 of the Revised Statutes (12 U.S.C. 24) as it relates to the limitations and restrictions as to dealing in and underwriting investment securities by national banks. This amendment deals only with bonds issued by State and local government entities (municipal bonds).

PRESENT STATUS AS TO MUNICIPAL BONDS

I. *Underwriting Powers:* Commercial banks may now underwrite and deal in general obligation bond issues of State and local governments.

II. *Investment Powers:* Commercial banks may now invest in those municipal bonds which are deemed "Investment Securities" as prescribed by regulation by the Comptroller of the Currency.

PROVISIONS OF BILL

This bill deals only with the underwriting powers of commercial banks and would extend these powers by permitting commercial banks to underwrite and deal in all municipal bonds that meet the quality standards of an investment security as defined by the Comptroller of the Currency. However, two types of municipal bonds will be specifically excluded even if they did meet the standards of an investment security. These are: (1) special assessment obligations, and (2) industrial development obligations (e.g. industrial revenue bonds.)

The bill further provides that a commercial bank shall not hold the municipal bonds of any one issuer in an amount over 10% of its capital and surplus. By holding is meant the aggregate of investments and underwriting and dealing commitments.

In addition, the bill has been designed to guard against the following possible conflict of interest problem:

LANGUAGE OF BILL

"(2) the purchase of such obligations by a national bank as fiduciary from such bank as an underwriter or dealer shall not be permitted unless lawfully directed by court order."

EXPLANATION

Under existing law and practice a bank does not sell as an underwriter to its trust department except in very rare instances when either directed by court order or permitted by local law. This language would provide that a bank shall not purchase such obligations as a fiduciary from the same bank as an underwriter or dealer unless lawfully directed by court order.

LANGUAGE OF BILL

"(3) no association may purchase such obligations as fiduciary from a member of a syndicate in which such association is participating until the syndicate has closed as to underwriting."

EXPLANATION

This provision prohibits a bank's trust department from purchasing such obligations from another member of the syndicate in which such bank is participating until the syndicate is closed. This provision is a codification of existing case law, and regulation. The purpose is to ensure by legislation that a bank as an underwriter shall not have an interest in and shall not receive a benefit from any purchase of bonds by the Trust Department of the bank. *A syndicate is closed when the bank as an underwriter has no financial interest in any sale by another member of the syndicate.* Thus, this provision insures that all purchases by the bank's Trust Department from any other member of the syndicate are made in a free market and under a condition in which the bank, as an underwriter, has no interest and would receive no benefit.

LANGUAGE OF BILL

"(4) any sales of such obligations by an association to any of its depositors or borrowers or to any correspondent bank (whether for such bank's own account or as trustee) must be accompanied by a disclosure in writing to the purchaser that the association is selling as an underwriter or dealer."

EXPLANATION

This provision requires that a bank disclose that it is selling such obligations as an underwriter or dealer.

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## TO STRENGTHEN THE DOLLAR BY ELIMINATING 25 PERCENT GOLD RESERVE

Mr. CLARK. Mr. President, I send to the desk for appropriate reference a bill to eliminate the requirement that Federal Reserve banks maintain certain reserves in gold certificates against Federal Reserve notes.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1307) to eliminate the requirement that the Federal Reserve banks maintain certain reserves in gold certificates against Federal Reserve notes, introduced by Mr. CLARK, was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. CLARK. Mr. President, the bill is identical with one introduced on March 1 in the House by Representative HENRY REUSS of Wisconsin. In our joint judgment, it is a step at least 2 years overdue to help protect the integrity of the dollar.

When, in February 1965, the Senate voted to remove the requirement for gold cover for Federal Reserve deposits, I said:

I support the Administration's request that the present gold cover requirements for Federal Reserve deposits be eliminated—I support it, but I would have preferred that the request had gone further and removed the cover from Federal Reserve notes as well.

Within the not-too-distant future, in 4 years perhaps, unless there is a marked improvement in our balance of payments, it will be necessary to eliminate completely the gold backing of both Federal Reserve notes and deposits in order to free our gold reserves to meet international claims. We may as well do now what will become necessary a few years hence.

In 1965, I was too optimistic. What I predicted would have to be done in 4 years should now be done in 2 and done promptly. The reasons are entirely clear.

There was a time, back in 1949, when the United States held more than half of the total gold in the world—$24.46 billion out of a total of around $40 billion. Today we hold less than a third of the $41 billion in gold held by all central banks.

In 1949 dollar claims held by foreigners—public and private claims—totaled $7.62 billion. Today they total almost $28 billion.

But the situation is worse than these figures might make it appear. Of the $13.2 billion of gold held by the Treasury only $3.5 billion is free gold; i.e., available to meet dollar claims for conversion. The rest is committed by statute as 25-percent reserve on our outstanding Federal Reserve notes. As the amount of Federal Reserve notes increases, as it has done recently, so does the requirement for 25-percent gold backing. Thus, in February 1965, when the Federal Reserve notes in circulation totaled $33.663 billion, our free gold, after providing 25-percent cover of $8.416 billion, was $6.577 billion. Two years later, in February of 1967, because of a substantial increase in the amount of Federal Reserve notes, increasing the required cover to $9.568 billion, and an increasing demand of foreigners for gold in exchange for dollars, our free gold had shrunk to $3.538 billion.

Surely the time has come to eliminate the utterly meaningless gold coverage on Federal Reserve notes, thus freeing the substantial sum of $9.568 billion of gold to meet possible calls for exchange from overseas holders of dollars. An additional reason for removing the gold cover from Federal Reserve notes in circulation is that gold cover no longer makes any sense. It is an outmoded shibboleth of the past constituting a lien on precious gold stocks needed to bolster the value of the dollar in international transactions. As is noted above, the amount of gold presently required to be held in reserve for these Federal Reserve notes fluctuates from month to month, depending on the needs of commerce and industry for the expansion or contraction of Federal Reserve notes in circulation. It is time for us to free domestic economic policy from the restriction of the gold cover. The ordinary dollar is not convertible into gold and has not been since the early thirties. Why should the Federal Reserve notes be an exception to this sound rule?

Removing the gold reserve behind the Federal Reserve notes will not solve our present rather critical balance of payments problem; but it will help. It has long been my view that until we end the Vietnam war and bring most of our troops home from Europe the balance of payments deficit will continue to plague us. In the meanwhile, pending the re-

turn to military sanity, the least we can do is to supplement our shrinking supply of gold by freeing the $9.568 billion presently committed to Federal Reserve notes.

I said in 1965 that no one nation should have to bear the responsibility of serving as the world's banker and creditor. This has been our lot since World War II when the world had nothing better than the U.S. dollar to use for money. And the world has still nothing better, until international monetary reform becomes reality.

For what have been called psychological reasons, the world's monetary leaders have refrained from completing the international action needed to eliminate the use of gold in bilateral international settlements. For all practical considerations, gold does not play any part in our domestic monetary affairs. Yet many members of Congress and the general public feel that there is some immutable connection between our gold reserves and the soundness of the dollar.

It has been sometimes necessary to cater to this mistaken notion in order not to shake confidence in our currency. Yet there are only three nations, I believe, which require cover entirely or mainly in the form of gold—Belgium, Switzerland, and Venezuela. None of these bears major international responsibilities, and the currencies of a good many other countries which have no such requirement are as hard or harder.

The real test of confidence is how people behave. I have never known anyone to refuse a dollar in payment of a debt, and asking for something else instead. The reason is that you can always exchange the dollar for whatever goods or services you might want. For the ordinary man in the street—and for the international merchant—that means for goods, not for gold. Private foreign holdings of dollars have been increasing—no lack of confidence there. Electricite de France has just floated a bond issue denominated in dollars; what a compliment from this hypersensitive nation. The confidence issue is largely an obsolete canard. The real issue is liquidity—or having the money to do business with. And gold has made a negative contribution to that in the past few years.

The need to remove the gold cover on Federal Reserve notes is not new, merely put off. In his testimony in 1965, the then Secretary of Treasury Dillon said:

> The current gold cover requirement is an outgrowth of a much earlier period in our monetary history and can be fully understood only in the context of circumstances that have long since vanished.

Because this overdue action warrants careful attention, I am today introducing for appropriate reference a bill to remove the gold cover requirement for Federal Reserve notes.

## EQUAL EMPLOYMENT OPPORTUNITY

Mr. CLARK. Mr. President, on behalf of myself and the Senator from New York [Mr. JAVITS], I send to the desk a bill, for appropriate reference, embodying the President's proposals in the field of equal employment opportunity and ask that it be referred to the Committee on Labor and Public Welfare where, I am confident, the Parliamentarian will send it.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1308) to further promote equal employment opportunities of American workers, introduced by Mr. CLARK (for himself and Mr. JAVITS), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

## BITUMINOUS SANDS LEASING—MOSS BILLS

Mr. MOSS. Mr. President, there has been a great deal of interest in the energy needs of this Nation over the next few years. Because of the heavy demands expected for oil and gas, we need to develop all possible sources of our domestic supply. One of the most promising of these sources is the tar sands that are found extensively in Utah. These tar sands or, as they are often called, "bituminous sands," are already being developed in Canada in a multimillion-dollar project in Alberta Province on the Athabasca River.

We are fortunate to have in Utah a large amount of these tar sands. Extensive deposits are found along Asphalt Ridge, Sunnyside, and White Rocks, Utah. I am hopeful that we will be able to develop these important deposits. We thought we were paving the way for development in 1960 when we amended the Mineral Leasing Act to permit the issuance of a separate lease for bituminous tar sands. But a problem has arisen over separating the rights which belong to a bituminous sands lessee from those rights which belong to an oil and gas lessee.

The bituminous sands lessee can mine the sands and extract oil from them. But does he have the right to extract the oil from the sands by the in situ method? Or does this right belong to the oil and gas lessee who traditionally has been able to introduce pressure maintenance, fire flooding, or other methods to increase recovery from an oil well? Since both of these leases are issued on the same tract of land, this is a very real problem.

Last year, in answer to my request, an opinion was rendered by the Department of the Interior that the bituminous sands lessee could develop a deposit by the in situ method. But because of the possible legal complications arising from this problem, the Department of the Interior has not issued any more bituminous sands leases. This is holding up the development of one of Utah's great mineral resources.

To correct this situation, I introduced in the last Congress a bill providing for a single hydrocarbon lease. This bill would provide that all hydrocarbons on a tract of land would be leased to a single lessee. This would prevent conflicts and would allow the Department of the Interior to once again begin leasing these deposits. I am reintroducing this bill today. I am also introducing a second bill. This bill would give the Secretary of the Interior authority to issue both a bituminous sands lease and an oil and gas lease covering the same tract to a single party. Only one of these bills need be passed since they are different solutions to the same problem. But I am introducing both of them so that we can have a hearing and engender discussion on this problem and find the best solution. These bills will be the vehicle for that discussion. After thorough discussion we can adopt the best solution.

The ACTING PRESIDENT pro tempore. The bills will be received and appropriately referred.

The bills, introduced by Mr. Moss, were received, read twice by their titles, and referred to the Committee on Interior and Insular Affairs, as follows:

S. 1310. A bill to amend the act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920 (41 Stat. 437; 30 U.S.C. 181); and

S. 1311. A bill to amend the Mineral Leasing Act of February 25, 1920, as amended.

## THE FAILING NEWSPAPER ACT

Mr. HAYDEN. Mr. President, today I am introducing the Failing Newspaper Act. This legislation, if enacted, would exempt from the antitrust laws certain combinations and arrangements necessary for the survival of failing newspapers.

The bill declares that it is in the public interest of maintaining the historic independence of the press in all parts of the Nation to preserve the publication of newspapers in any city, community, or metropolitan area where a joint operating arrangement or combination has been or may be entered into because of economic distress.

Over a period of years it has become increasingly apparent that economic changes in the newspaper industry have brought about a tendency toward failure of many independent newspapers, primarily in metropolitan areas. This fact came to my attention when, in 1965, the Justice Department brought antitrust action against Tucson Newspapers, Inc., in Tucson, Ariz. In this instance, the Tucson Star and Tucson Daily Citizen have pooled their advertising, circulation, and mechanical operations, but have remained corporately and editorially separate.

Mr. President, these two newspapers have operated in this matter for 27 years. After looking into the matter, I find that there are at least 24 other newspapers in 12 other States in the same situation.

In effect, Mr. President, what the Justice Department is saying is that it is all right to establish one-newspaper towns, but it is not in the public interest to maintain two separate and independent editorial voices, if those voices are produced through joint business and mechanical operations.

Mr. President, I ask unanimous consent that background information relative to this bill be included in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the background information will be printed in the RECORD.

The bill (S. 1312) to exempt from the antitrust laws certain combinations and arrangements necessary for the survival of failing newspapers, introduced by Mr. HAYDEN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

The background information presented by Mr. HAYDEN, is as follows:

MEMORANDUM CONCERNING THE PROPOSED BILL TO GRANT A LIMITED EXEMPTION FROM THE ANTITRUST LAWS RELATIVE TO NEWSPAPERS INVOLVED IN JOINT ARRANGEMENTS OR COMBINATIONS

Over a period of years it has become increasingly apparent that economic changes in the newspaper industry in this country have brought about a tendency toward failure of many independent newspapers, primarily in metropolitan areas, absent on their part an ability to enter joint publishing arrangements or merger transactions.

BACKGROUND

In 1940, after 14 consecutive years of financial losses, the Tucson Citizen and Tucson Star established a joint operating plan whereby a third corporation, Tucson Newspapers, Inc., acted as agent for the two newspapers and conducted the business—advertising, mechanical, and circulation operations—but the papers themselves remained corporately and editorially separate. This same type of arrangement prevails in the following communities:

San Francisco, California—Chronicle.
San Francisco, California—Examiner.
Honolulu, Hawaii—Star Bulletin.
Honolulu, Hawaii—Advertiser.
Evansville, Ind.—Courier.
Evansville, Ind.—Press.
Fort Wayne, Ind.—News, Sentinel.
Fort Wayne, Ind.—Journal Gazette.
Shreveport, La.—Journal.
Shreveport, La.—Times.
Albuquerque, New Mexico—Journal.
Albuquerque, New Mexico—Tribune.
Tulsa, Oklahoma—Tribune.
Tulsa, Oklahoma—World.
*Franklin, Pa.—News* Herald.
Oil City, Pa.—Derrick.
Nashville, Tenn.—Banner.
Nashville, Tenn.—Tennessean.
El Paso, Texas—Herald Post.
El Paso, Texas—Times.
Salt Lake City, Utah—Tribune.
Salt Lake City, Utah—Deseret News.
Charleston, West Virginia—Gazette.
Charleston, West Virginia—Mail.

The Citizen and Star operated in this manner for 25 years.

In December 1964, the Citizen stockholders advised the Department of Justice they were purchasing the Star (pursuant to an option agreement set forth in the original contract), only to divest it, as soon as it was legally possible, to a first-rate, preferably non-chain newspaper.

On January 4, 1965, Justice filed suit to (1) seek divesture of the Star, and (2) to modify the operating agreement to require separate circulation and advertising departments with each producing its own revenue, only. Since the Citizen in 1940 was about to fail it could have sold out to the Star under the *Failing Company Doctrine,* International Shoe Co. v. Federal Trade Commisison, 280 U.S. 291, where the Supreme Court in 1930 held that a company which has failed, may sell out to its successful competitor, which would not constitute a restraint on competition in violation of the anti-trust law because the failing company would go out of business anyway.

However, the Tucson newspapers desired to maintain two independent editorial voices in the community, and thus entered into their joint operating arrangement. It has given Tucson two newspapers and two separate editorial voices for twenty-seven years.

PRESENT NEWSPAPER SITUATION

In 1963, Mr. Vincent Manno, a newspaper broker, and newspaper consultant, appeared in a pre-hearing before the Anti-Trust Subcommittee of the House Judiciary Committee and testified that because of the economic plight of newspapers, preservation of newspapers' independence for editorial and journalistic purposes could be accomplished only through mutual production plans. By mutual production plans, Mr. Manno was referring to the type of operation that is in effect in the cities listed above.

Mr. Manno was under the opinion that because of the extreme financial burden of more than one daily newspaper being printed and distributed independently in most metropolitan areas, that in the last ten years every market in the ten largest in the nation had at least one newspaper failure or merger, and in many cases, two or more mergers or failures, or combination thereof.

In 1954, there were 106 cities with separately owned daily newspapers, while in 1964 there were approximately 66 cities with separately owned daily newspapers. In 20 of these 66 cities, mutual production plans are in effect.

It is apparent from Mr. Manno's affidavit filed in the Tucson case that joint arrangements or combinations are the one great hope of the newspapers to maintain their editorial and journalistic independence.

The primary reason I have called this situation in Tucson to your attention is the fact that the Department of Justice has stated if they are successful in Tucson they will file suit against all newspapers in the same situation.

Therefore, I have prepared a bill that will grant newspapers a limited anti-trust exemption to enter into these joint arrangements or combinations.

## DECLARATION OF A PORTION OF THE WATERWAY IN THE TOWN OF GROTON, CONN., AS BEING NONNAVIGABLE

Mr. DODD. Mr. President, I introduce, for appropriate reference, a bill to declare that a portion of the waterway in the Town of Groton, Conn., known as Poquonock River and Baker Cove, be deemed nonnavigable for certain purposes.

This bill will take the body of water out of the jurisdiction of the Federal Government, and transfer it to the jurisdiction of the State of Connecticut. While the waterway will still be navigable for boats, with a maximum mast height of 18 feet, the State of Connecticut will restrict larger boats. This action will enable the State to extend an instrument runway of the Trumbull Airport in Groton, Conn.

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

The bill (S. 1313) to decare that a portion of the waterway in the town of Groton, Conn., known as Poquonock River and Baker Cove, be deemed nonnavigable for certain purposes, introduced by Mr. DODD, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 1313

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the portion of the Poquonock River and Baker Cove, in the town of Groton, Connecticut, lying north and east of a line extending southeast from a point at the southernmost tip of Jupiter Point whose coordinates on the State of Connecticut Grid System are North 177,310 and East 790,645 to a point at North 176,890 and East 790,980 on the north shore at Bushy Point, is hereby declared to be nonnavigable water of the United States within the meaning of the Constitution and laws of the United States.

SEC. 2. Any project heretofore authorized by any Act of Congress, insofar as such project relates to the above described portion of waterway, is hereby abandoned.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

## AMENDMENT OF SECTION 303(b) OF INTERSTATE COMMERCE ACT TO MODERNIZE CERTAIN RESTRICTIONS UPON APPLICATION OF EXEMPTION PROVIDED THEREIN

Mr. MAGNUSON. Mr. President, I introduce, by request, for myself and Mr. HARTKE, for appropriate reference, a bill to amend section 303(b) of the Interstate Commerce Act to modernize certain restrictions upon the application and scope of the exemption provided therein.

The purpose of this bill is to update those provisions of the 26-year-old Transportation Act of 1940 defining the scope and application of water carriage exemptions.

This bill would amend section 303(b) of the Interstate Commerce Act by (1) striking from the second sentence a parenthetical expression which defines bulk commodities in terms of custom of the trade as of June 1, 1939; and (2) striking from the third sentence the provision defining two or more vessels while navigated as a unit as a single vessel.

In the Transportation Act of 1940, when modern day barge transportation on our inland waterways was still in its infancy, Congress enacted section 303(b) with the restrictive definitions which the proposed bill would remove.

The first is the definition of bulk commodities in accordance with the custom of the trade as of June 1, 1939. The removal of this restrictive definition is in accord with the following recommendation found on page 530 of the Report of the Special Study Group on Transportation Policies in the United States for the Commerce Committee—often called the "Doyle" report:

Section 303(b) of the Interstate Commerce Act defines bulk commodities (for the purpose of exemption) in terms of custom of the trade as of June 1, 1939. Are we to suppose that industrial technology and user preference was somehow frozen as of that date? If new products appear, or if it becomes desirable to transport old ones in a different manner, regulation should readily adapt itself to the change without special legislation. We recommend the redefining of bulk commodities as follows:

"Bulk commodities are commodities loaded and carried without wrappers or containers, which are received and delivered by the carrier without transportation mark or count, and which are sufficiently homogeneous that any reasonable minimum quantity can be delivered."

The second definition to be removed provides that two or more vessels navigated as a unit shall be considered a single vessel.

Subsection (b) of section 303 provides an exemption for the transportation by a water carrier of commodities in bulk when the cargo space of the vessel in which such commodities are transported is being used for the carrying of not more than three such commodities.

The Commission has interpreted subsection (b), and the definition of multiple vessels as a single vessel, to mean that the exemption is lost if the tow contains four or more bulk commodities or if the tow contains any nonbulk commodities. This interpretation has come to be known as the mixing rule.

An example may clarify the Commission's mixing-rule interpretation. Under the Commission's interpretation, separate tows—whether the number of barges be one or more—of coal, or ore, or sand are exempt. These tows may be combined—whatever the number of barges—without affecting the exemption. However, the Commission has held that a passing tow cannot pick up another barge if it contains a fourth bulk commodity, such as wheat, or a nonbulk commodity.

Since 1940, river carriers have developed ever more powerful and efficient towboats capable of handling larger and larger tows of barges. The public has been the beneficiary of more efficient water carrier transportation in lower overall transportation costs. The effect of the "mixing rule" interpretation, I am advised, however, would be to hamper the assembly of large tows because exempt bulk traffic cannot be combined in tows containing more than three bulk commodities, or any nonbulk commodity.

The most promising avenue of future technological progress in inland waterway transportation I am informed is the development of reciprocal towing between river carriers. By this method one carrier can move another carrier's barge as soon as it is loaded, and shippers can obtain better service from more efficient operations.

This practice is prohibited under Commission interpretation of present law, because the "mixing" of exempt and nonbulk traffic cancels the bulk exemption. As pointed out in the above study group report, the "mixing rule" interpretation would block technological progress toward greater efficiency in water carrier transportation by making more difficult the assembly of large efficient barge tows and the free interchange of towing between carriers of all types.

The special study group report, on page 531, also contained the following recommendation that the "mixing rule" be repealed insofar as certificated common carriers are concerned:

Bulk commodities are presently not exempt from regulation if they are transported in a barge, tow, or vessel with nonbulk commodities or if more than three bulk commodities are loaded in the same barge, tow, or vessel. The effect of this rule on regulated water carriers who desire to participate in bulk traffic is to force them to separate bulk traffic from nonbulk traffic in a separate tow or vessel, regardless of the effect upon efficiency of the carrier, service to the user, or upon national transportation costs. Thus, we place economic and service penalties upon the very carriers it is our national policy to preserve. In the interests of efficient use of equipment, leading to lower overall transportation costs, and in the interests of assisting the regulated water carriers to maximize their potential of service at the lowest reasonable cost, we recommend repeal of the mixing rule insofar as certificated common carriers are concerned.

I am advised that a recent court proceeding upholding the commission's interpretation of the present statute as requiring no mixing in tows could in the near future cancel the efficiencies of the present large tows, and cause an increase in water transportation costs.

It is not intended by this bill to change the "mixing rule" as it applies to a single vessel. Thus, this bill would not change the application of the present statute to the Great Lakes trade.

I ask unanimous consent that a copy of the bill, a letter dated February 6, 1967, from Mr. J. W. Hershey, chairman, the Common Carrier Conference of Domestic Water Carriers, and a letter dated February 15, 1967, from Mr. Braxton B. Carr, president, The American Waterways Operators, Inc., be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and letters will be printed in the RECORD.

The bill (S. 1314) to amend Section 303(b) of the Interstate Commerce Act to modernize certain restrictions upon the application and scope of the exemption provided therein introduced by Mr. MAGNUSON (for himself and Mr. HARTKE), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1314

*Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled,* That section 303(b) of the Interstate Commerce Act, as amended (49 U.S.C. 903(b)) is amended—

(1) By striking from the second sentence thereof the parenthetical expression "(in accordance with the existing custom of the trade in the handling and transportation of such commodities as of June 1, 1939)".

(2) By striking the third sentence in its entirety.

The letters presented by Mr. MAGNUSON are as follows:

THE COMMON CARRIER CONFERENCE OF DOMESTIC WATER CARRIERS,
*Washington, D.C., February 6, 1967.*

Senator WARREN G. MAGNUSON,
*Chairman, Committee on Commerce, U.S. Senate, Washington, D.C.*

DEAR SENATOR MAGNUSON: The inland barge industry faces the cancellation of the effect of much of the technological advance of the past ten years because of an interpretation of a 26-year-old statute describing conditions of exemption from regulation. The modernization of this statute is urgently required to recognize new technologies and to maintain the low level of rates resulting from their application.

The Committee on Commerce has long had a continuing interest in finding a solution to the problem. Hearings were held 1961 on a previous limited proposal to remove artificial statutory restraints on technological advances. Following a meeting of barge line representatives with the Chairman and Committee Counsel on Thursday afternoon, February 2, 1967, we are transmitting with this letter a proposal for a change in the statute which will have the effect of permitting the continued application of the new technologies and the benefits to the shippers and consumers which result therefrom.

The proposal has the support of both the regulated and non-regulated segments of the inland barge industry and of the shippers and labor who use or are employed by the inland water transportation industry. The proposal would maintain the status quo and hence would not change present intermodal competitive relationships.

In all the different branches of the transportation industry, vigorous efforts are currently being made to improve the economy and efficiency of transport service. A common trend has been the development of larger units of transportation. On the railroads, trainload services and larger capacity freight cars have been effective in producing useful economies. In the air, larger airplanes have been effective in maintaining stable fares. A 500-passenger airplane is expected to produce new and even greater economies. In the deep-draft trades, larger and larger ships have been built with corresponding benefits to shippers and consumers.

The same trend has developed on the inland rivers. Whereas in the early 1950's, barge tows of 10,000 tons—about the capacity of a Liberty ship—were common, today, the application of the new technology of larger and more powerful towboats pushing flotillas of 40 or more barges has substantially improved the economy and efficiency of inland water transportation. A 40,000 ton tow on the Mississippi River now equals or exceeds the capacity of some of the largest deep-draft vessels. Where barges of 500 ton capacity were standard in the early 1950's, barges with capacity from 1,400 tons to 1,800 tons are rapidly becoming standard today.

The efficiencies of the larger tows have already been passed along to the consumer in the form of lower freight rates. Some idea of the dramatic impact of the new economies may be obtained from these figures. In 1959, Mississippi River System barge lines carried 47,530,000 tons of freight at a total expense of $107,148,000. In 1965, according to ICC reports, they carried 33 percent more, 66,745,000 tons, at only about a 7-percent increase in expense, or $114,283,000. The revolution in technology was a large factor in the development of this consumer benefit.

Large, 40-barge tows, are only possible if regulated and non-regulated traffic are mixed in a single tow. At the time the statute describing the conditions of exemption was written most of the traffic on the river moved under published tariffs and hence no problem of mixing arose.

In the intervening 26 years a vigorous exempt trade has grown up in which both certificated and non-certificated carriers participate. A substantial exchange of business takes place between certificated and non-certificated carriers, both relying on the efficiencies of the big tows for the economical conduct of their business. The shippers and the consumers are of course the major beneficiaries.

The Interstate Commerce Commission and the courts have expressed sympathy with the plight of the barge lines under a "no mixing" interpretation of the statute. The Commission has recognized that a return to the practice of publishing all rates would not solve the problem under modern circumstances. In testimony before your committee, the ICC has recognized that publication of tariffs would simply put the regulated carriers out of competition for the business.

The ICC and the courts have found that they have no alternative but to interpret the present statute as requiring no mixing in tows. If this brings about transportation inefficiencies, the court said, the remedy is with the Congress.

If the present interpretation prevails, the barge lines would be unable to accumulate large tows. Regulated and unregulated traffic would have to be separated, the efficiencies of the large tows would be cancelled out and rates would go up.

A similar effect would result if someone were to interpret a statute to forbid ships being built having a larger capacity than 10,000 tons, or airplanes having a larger capacity than 100 passengers, or rail freight cars having a larger capacity than 50 tons. Of course, Congress never intended to write a statute to frustrate improved technology in transportation or in any other industry.

Modernization of the statute can be accomplished in a very simple manner. Removal of the second to last sentence of Section 303 (b) of the Act, which says two or more vessels while navigated as a unit shall be considered a single vessel, would accomplish the desired result. At the same time, the statute should be further modernized by removing the parenthetical provision referring to the "custom of the trade" as of June 30, 1939. All parties are agreed that this has never had much significance and is an unnecessary complication. This proposal would not change the application of the statute to the Great Lakes trade.

The proposal would prohibit the mixing of more than three commodities within a vessel as originally intended with the practices of the Great Lakes in mind, but would define a barge as a vessel and permit mixing of barges in a tow, thus continuing to permit the application of more efficient and economical technologies of river and canal transportation.

Sincerely yours,

J. W. HERSHEY.

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THE AMERICAN WATERWAYS OPERATORS, INC.,
*Washington, D.C., February 15, 1967.*

Hon. WARREN G. MAGNUSON,
*Chairman, Senate Commerce Committee, U.S. Senate, Washington, D.C.*

DEAR SENATOR MAGNUSON: This is in reference to the conference held with you and members of your staff on February 2, 1967, with representatives of this Association in attendance, in which proposed amendments to section 303(b) of the Interstate Commerce Act were discussed; and the subsequent letter which you received from Mr. J. W. Hershey on this same subject.

Members of The American Waterways Operators, Inc., have authorized me to advise you of our Association's endorsement of the following proposed bill which Mr. Hershey transmitted to you.

To amend section 303(b) of the Interstate Commerce Act to modernize certain restrictions upon the application and scope of the exemption provided therein.

*Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled,* That section 303(b) of the Interstate Commerce Act, as amended (49 U.S.C. 903(b)) is amended—

(1) By striking from the second sentence thereof the parenthetical expression "(in accordance with the existing custom of the trade in the handling and transportation of such commodities as of June 1, 1939)".

(2) By striking the third sentence in its entirety.

We appreciate your interest in this matter which, as you know, is of vital concern to the entire bargeline industry. We look forward to working with you in any way that will be helpful to obtain Congressional approval of the amendment.

Sincerely yours,

BRAXTON B. CARR,
*President.*

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## A BILL FOR THE AMERICAN CANAL AT EL PASO, TEX.; A PART OF THE CHAMIZAL BOUNDARY RELOCATION

Mr. YARBOROUGH. Mr. President, I introduce a bill for myself and my colleague [Mr. TOWER] to authorize construction of extensions of the American Canal at El Paso, Tex. This irrigation canal replacement is requested to complete the series of public facility projects in El Paso contemplated as a part of the boundary relocation involved in the settlement of the Chamizal dispute with Mexico.

Enactment of this bill will allow construction of a new American-Franklin Canal some 13 miles long, of a size to assure U.S. water users their share of the Rio Grande water allocated to them by the United States-Mexican Treaty of 1906. Part of the proposed new canal is being constructed as a necessary part of the Chamizal boundary relocation; this bill authorizes construction of the remaining needed sections.

Of special importance to me is the fact that this new canal will be completely fenced for its entire length. The old canal, now to be replaced, runs through the city of El Paso, and is inadequately equipped to restrain children from attempting to swim in its waters. This lack of protection has been a source of tragedy for many El Paso families over the years. I am assured that the construction plans for this new canal include complete fencing the length of the canal. This desirable improvement alone is enough to justify the project, but the project is well justified in its conservation of scarce water.

U.S. water users have suffered serious shortages of water in the Bureau of Reclamation Rio Grande project above and below El Paso, Tex., during the past 15 years. The shortages have been in part due to the fact that although the entire supply of water originates in the United States, a portion of the supply—up to 60,000 acre-feet per year in years of normal runoff, is allocated to Mexico by the Treaty of 1906. Such reduction in supply to U.S. users for international causes should be repaired to the extent practical.

Estimating the value of waters conservatively at $20 per acre-foot, the total value of the water which could be saved amounts to $420,000 per year. The annual cost of the proposed canal extensions, including amortization over 50 years with interest at 4½ percent and operation and maintenance, amounts to $250,000, or about $12 per acre-foot. The economic justification and practicability is therefore favorable by a benefit-cost ratio of 1.7 to 1.

This bill is a companion to H.R. 1434 introduced by Representative RICHARD WHITE of El Paso.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1315) to authorize the construction of extensions of the American Canal at El Paso, Tex., operation and maintenance, and for other purposes, introduced by Mr. YARBOROUGH (for himself and Mr. TOWER), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

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## IMPROVED JUDICIAL MACHINERY FOR THE SELECTION OF JURIES

Mr. TYDINGS. Mr. President, the Subcommittee on Improvements in Judicial Machinery is currently studying proposals to improve the process by which jurors are selected for service. It is our intention to make this study as wide-ranging and comprehensive as possible. Six bills are pending before us, and I wish today to introduce two more. Any legislation in this area ought to contain the best ideas from every available source. I therefore introduce these bills for appropriate reference and ask unanimous consent that they be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the RECORD.

The bills, introduced by Mr. TYDINGS, were received, read twice by their titles, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 1318. A bill to provide improved judicial machinery for the selection of juries, and for other purposes.

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

SEC. 2. Chapter 121 of title 28, United States Code, is amended by adding at the end thereof the following new sections:

"§ 1875. Discrimination Prohibited.

"It shall be unlawful to make any distinction on account of race, color, religion, sex, national origin, or economic status in the qualifications for service, and in the selection, of any person to serve on grand or petit juries in any State court.

"§ 1876. Suit by the Attorney General.

"(a) Whenever there are reasonable grounds to believe that any person has engaged or is about to engage in any act or practice which would deny or abridge any right secured by section 1875 of this title, the Attorney General is authorized, after giving notice of such denial or abridgment to the appropriate State officials, and after certifying that he is satisfied that such authorities have had reasonable time to adjust the conditions alleged in such notice, to institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for an injunction, restraining order, or other order against a State, any political subdivision thereof, or any official of such State or political subdivision. In any proceeding hereunder, the United States shall be liable for costs the same as a private person.

"(b) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether any aggrieved person shall have exhausted any administrative or other remedies that may be provided by law. Any action pursuant to this section shall be in every way expedited.

"§ 1877. Appropriate relief.

"If in any proceeding instituted pursuant to section 1876 of this title or any other law authorizing proceedings for injunctive relief, the district court finds that any right secured by section 1875 of this title has been denied or abridged, it may, in addition to any other relief, enter an order, effective for such period of time as may be appropriate—

"(a) prohibiting or suspending the use of any qualification for jury service or any basis for excuse, exemption, or exclusion from jury service which—

"(1) violates or has been applied in violation of section 1875 of this title, or

"(2) is so subjective as to vest in jury

officials undue discretion to determine whether any person has satisfied such qualification or whether a basis exists for excusing, exempting, or excluding any person from jury service;

"(b) requiring the use of objective criteria to determine whether any person has satisfied any qualification for jury service or whether a basis exists for excusing, exempting, or excluding any person from jury service;

"(c) requiring maintenance of such records or additional records as may be necessary to permit a determination thereafter whether any right secured by section 1875 of this title has been denied or abridged; or

"(d) appointing a master to perform such duties of the jury officials as may be necessary to assure that the rights secured by section 1875 of this title are not denied or abridged.

"§ 1878. Discovery of evidence.

"In any proceeding instituted pursuant to section 1876 of this title or section 1983 of title 42 of the United States Code, or in any civil or criminal proceeding in any State court prior to the introduction of any evidence at trial, or in any habeas corpus, coram nobis, or other collateral proceeding in any court with respect to a judgment of conviction entered after the effective date of the Jury Discrimination Act of 1967, wherein it is asserted that any right secured by section 1875 of this title has been denied or abridged—

"(a) The appropriate State or local officials shall furnish a written statement of jury selection information subscribed to under oath which shall contain a detailed description of the following:

"(1) the nature and location of the sources from which names were obtained for inclusion in the wheel, box, or similar device;

"(2) the methods used and the procedures followed in selecting names from the sources referred to in subdivision (1) of this subsection for inclusion in the wheel, box, or similar device;

"(3) the methods used for selecting names of prospective jurors from the wheel, box, or similar device for testing or otherwise demonstrating their qualifications for jury service;

"(4) the qualifications, tests, standards, criteria, and procedures used in determining whether prospective jurors are qualified to serve as jurors;

"(5) the methods used for summoning or otherwise calling persons for jury service and assigning such persons to grand and petit jury panels;

"(6) with respect to State courts to which section 1879 of this title applies, the number and race of persons who, during the preceding two-year period or, if the claim hereunder is filed within two years following the effective date of the Jury Discrimination Act of 1967, during the period since such effective date (A) (i) have appeared for the purpose of testing their qualifications to serve as jurors, (ii) have appeared in response to a summons to serve as a juror, (iii) have been determined to be qualified to serve as jurors, (iv) have been assigned to a grand or petit jury panel, and (v) have served on a grand or petit jury, and (B) have been peremptorily challenged in criminal cases and whether the challenge was made by the prosecution or the defense;

"(b) the statement of jury selection information shall be filed with the clerk of the court in which the proceeding is pending, and a copy thereof shall be served upon the attorney for the complaining party. The statement of jury selection information shall constitute evidence on the question whether any right secured by section 1875 of this title has been denied or abridged: *Provided*, That the complaining party shall be entitled to cross-examine any person having knowledge of relevant facts concerning the information to be contained in such statement and to present in addition the testimony of the jury officials, together with any other evidence, and, where there is evidence of a denial or abridgment of a right secured by section 1875 of this title, any relevant records and papers used by jury officials in the performance of their duties which are not public or otherwise available;

"(c) if the court determines (1) that there is probable cause to believe that any right secured by section 1875 of this title has been denied or abridged, and (2) that the records and papers maintained by the State are not sufficient to permit a determination whether such denial or abridgment has occurred, it shall be the responsibility of the appropriate State or local officials to produce additional evidence demonstrating that such denial or abridgment did not occur. When such evidence is not otherwise available, the State shall use such process of the court as may be necessary in order to produce the evidence, including the right to subpena witnesses;

"(d) the court may direct that the contents of any records or papers produced pursuant to subsection (b) of this section shall not be disclosed (except as may be necessary in the preparation and presentation of the case) during such period of time as such records and papers are not available for public inspection under State law: *Provided*, That parties to the proceeding shall be allowed to inspect, reproduce, and copy such records and papers at all reasonable times during the pendency of the case, and that disclosure of the contents of such records and papers by the Attorney General and his representatives shall be governed by subsection (b) of section 1879 of this title.

"§ 1879. Preservation and inspection of records

"(a) The jury officials in all State courts shall preserve the records and papers prepared or obtained in the performance of their duties for four years after the completion of service by all persons whose consideration for service as jurors was the subject of such records and papers. Any person, whether or not a jury official, who willfully steals, destroys, conceals, mutilates, or alters any record or paper required by this subsection to be preserved shall be fined not more than $1,000 or imprisoned not more than one year, or both.

"(b) The jury officials in State courts having jurisdiction over a political subdivision or subdivisions in which 10 per centum or more of the popuulation is nonwhite according to the most recent decennial census shall (1) record on an appropriate record or paper the race of each person who (A) appears for the purpose of testing his qualifications to serve as a juror, (B) appears in response to a summons to serve as a juror, (C) is determined to be qualified to serve as a juror, (D) is assigned to a grand or petit jury panel, or (E) serves on a grand or petit jury, and (2) maintain a record of every person who is peremptorily challenged in any criminal case and of whether the challenge was made by the prosecution or the defense.

"(c) Any record or paper required by this section to be preserved shall, upon demand in writing by the Attorney General or his representative directed to the person having custody, possession, or control of such record or paper, be made available for inspection, reproduction, and copying by the Attorney General or his representative. During such period of time as such records and papers are not available for public inspection under State law, unless otherwise ordered by a court of the United States, neither the Attorney General nor any employee of the Department of Justice, nor any other representative of the Attorney General, shall disclose the contents of any record or paper produced pursuant to this title except to Congress and any committee thereof, governmental agencies, and in the preparation and presentation of any case or proceeding before any court or grand jury. The United States district court for the district in which a record or paper so demanded is located, shall have jurisdiction by appropriate process to compel the production of such record or paper.

"§ 1880. Definitions.

"For purposes of section 1875 through 1880—

"(a) 'State court' shall mean any court of any State, county, parish, city, town, municipality, or other political subdivision of any State;

"(b) 'Jury official' shall mean any person or group of persons, including judicial officers, who select, summon, or impanel persons to serve as grand or petit jurors in any State court;

"(c) 'Wheel, box, or similar device' shall include a file, list, or other compilation of names of persons prepared by a jury official;

"(d) 'Political subdivision' shall mean any county, parish, city, town, municipality, or other territorial subdivision of a State."

SEC. 3. The remedies provided in sections 1875 through 1880 of title 18 of the United States Code (as added by section 2 of this Act) shall not preclude any person, the United States, or any State or local agency from pursuing any other remedy, civil or criminal, which may be available for the vindication or enforcement of any law prohibiting discrimination on account of race, color, religion, sex, national origin, or economic status in the selection of persons for service on grand or petit juries in any State court.

SEC. 4. The analysis of chapter 121 of title 28, United States Code, is amended by adding at the end thereof the following new items:

"1875. Discrimination prohibited.
"1876. Suits by the Attorney General.
"1877. Appropriate relief.
"1878. Discovery of evidence.
"1879. Preservation and inspection of records.
"1880. Definitions."

SEC. 5. This Act shall become effective one hundred and eighty days after the date of its enactment: *Provided*, That the provisions of this Act shall not apply in any case in which an indictment has been returned or a petit jury empaneled prior to such effective date.

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S. 1319. A bill to provide improved judicial machinery for the selection of Federal juries, and for other purposes.

S. 1319

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the Federal Jury Selection Act of 1967".

SEC. 2. The analysis and sections 1861 and 1863 through 1869 of chapter 121 of title 28, United States Code, are amended to read as follows:

"CHAPTER 121.—JURIES; TRIAL BY JURY

"Sec.
"1861. Declaration of policy.
"1862. Discrimination prohibited.
"1863. Jury commission.
"1864. Master jury wheel.
"1865. Drawing of names from the master jury wheel.
"1866. Qualifications for jury service.
"1867. Challenging compliance with selection procedures.
"1868. Maintenance and inspection of records.
"1869. Excuse or exclusion from jury service.
"1870. Definitions.
"1871. Fees.
"1872. Exemptions.
"1873. Challenges.
"1874. Issues of fact in Supreme Court.
"1875. Admiralty and maritime cases.
"1876. Actions on bonds and specialties.

"§ 1861. Declaration of policy

"It is the policy of the United States that all litigants in Federal courts entitled to trial by jury shall have the right to a jury selected from a cross section of the community in the district or division wherein the court convenes. It is further the policy of the United States that all qualified citizens shall have the opportunity to serve on grand and petit juries in the district courts of the United States and shall have an obligation to serve as jurors when summoned for that purpose.

"§ 1862. Discrimination prohibited

"No citizen shall be excluded from service as a grand or petit juror in the district courts of the United States on account of race, color, religion, sex, national origin, or economic status.

"§ 1863. Jury commission

"(a) There shall be a jury commission for each district court of the United States composed of the clerk of the court and a citizen appointed by the court as a jury commissioner: *Provided,* That the court may establish a separate jury commission for any division of the judicial district by appointing an additional citizen as a jury commissioner to serve with the clerk for such division. The jury commissioner shall during his tenure in office reside in the judicial district or division for which appointed, shall not belong to the same political party as the clerk serving with him, and shall receive compensation to be fixed by the chief judge of the district at a rate not to exceed $50 per day for each day necessarily employed in the performance of his duties, plus reimbursement for travel, subsistence, and other necessary expenses incurred by him in the performance of such duties.

"(b) In the performance of its duties, the jury commission shall act under the supervision of the chief judge of the district.

"§ 1864. Master jury wheel

"(a) Each jury commission shall maintain a master jury wheel and shall place in the master wheel names selected at random from the voter registration lists of persons residing in the judicial district or division it serves: *Provided,* That the judicial council of the circuit, with such advice as the chief judge of the district may offer, shall prescribe some other source or sources of names for the master wheel in addition to the voter registration lists where necessary, in the judgment of the council, to protect the rights secured by section 1862 of this title: *Provided further,* That in the district courts for the districts of Puerto Rico and the Canal Zone, the chief judges of such courts shall prescribe some other source or sources of names of potential jurors in lieu of voter registration lists the use of which shall be consistent with the policies declared and rights secured by sections 1861 and 1862 of this title.

"(b) The jury commission shall place in the master wheel the names of at least one-half of 1 per centum of the total number of persons listed on the voter registration lists for the district or division (or, if sources in addition to voter registration lists have been prescribed pursuant to subsection (a), at least one-half of 1 per centum of the total number of persons of voting age residing in the district or division according to the most recent decennial census): *Provided,* That in no event shall the jury commission place in the master wheel the names of fewer than one thousand persons.

"(c) The master jury wheel shall contain names of persons residing in each of the counties, parishes, or similar political subdivisions within the judicial district or division.

"(d) The chief judge of the district shall prescribe, by rule, definite and certain procedures to be followed by the jury commission in (1) making the random selection of names required by subsections (a), (b), and (c) of this section, and (2) assigning persons to grand and petit jury panels pursuant to section 1866(c) of this title.

"(e) State, local, and Federal officials having custody, possession, or control of voter registration lists or other appropriate records shall make such lists and records available to the jury commission for inspection, reproduction, and copying at all reasonable times as the commission may deem necessary and proper for the performance of its duties under this title. The district courts shall have jurisdiction upon application by the Attorney General to compel compliance with this subsection by appropriate process.

"(f) The jury commission shall in accordance with this section (1) from time to time, as necessary, place additional names in the master wheel and (2) not later than July 1 of each odd-numbered year empty and refill the master wheel.

"§ 1865. Drawing of names from the master jury wheel

"(a) From time to time as necessary the jury commission shall publicly draw at random from the master jury wheel the names of as many persons as may be required for jury service, prepare an alphabetical list of the names drawn, which list shall not be disclosed to any person except pursuant to sections 1867 and 1868 of this title, and summon by certified mail the persons whose names are drawn. Each person whose name is drawn, unless he claims exemption from jury service pursuant to section 1872 of this title and subsection (b) of this section, shall appear before the clerk and fill out a juror qualification form to be prescribed by the Administrative Office of the United States Courts. The form shall elicit his name, address, age, sex, education, race, occupation, length of residence within the judicial district, prior jury service, and citizenship and whether he has any physical or mental infirmity impairing his capacity to serve as a juror, is able to read, write, speak, and understand the English language, and has been convicted in any State or Federal court of record of a crime punishable by imprisonment for more than one year and has not had his civil rights restored by pardon or amnesty. The clerk shall examine the form to determine whether it is filled out completely and responsively and shall call any omissions or apparent errors to the attention of such person who shall make such corrections or additions as may be necessary. If any person summoned is unable to fill out the form, the clerk shall do it for him and indicate on the form the fact that he has done so and the reason therefor: *Provided,* That in any district or division where the chief judge of the district with the concurrence of the judicial council of the circuit determines that the requirement of a personal appearance before the clerk to fill out a juror qualification form would entail undue hardship or undue inconvenience for persons whose names are drawn from the master wheel, the clerk shall mail to every person whose name is drawn from the master jury wheel a juror qualification form with instructions to fill out and return the form duly signed to the clerk by mail within ten days. Any person who fails to return a juror qualification form as instructed shall be summoned by the clerk forthwith to appear before the clerk to fill out a juror qualification form: *Provided further,* That any person who returns an executed juror qualification form to the clerk by mail and who is subsequently summoned for jury service may be required by the clerk or the court to fill out another juror qualification form.

"(b) Any person summoned pursuant to subsection (a) of this section who fails to appear as directed shall be ordered by the court forthwith to appear and show cause for his failure to comply with the summons: *Provided,* That any person summoned (or to whom a juror qualification form has been mailed by the clerk for execution) who is exempt from jury service pursuant to section 1872 of this title may state the basis for his exemption in the space provided on the summons (or juror qualification form) and return the summons (or juror qualification form) duly signed to the clerk by mail.

"(c) Any person who fails to appear pursuant to an order entered under subsection (b) of this section, or who fails to show good cause for noncompliance with a summons issued pursuant to subsection (a) of this section, or who willfully misrepresents a material fact concerning his exemption from jury service or concerning his qualifications for jury service on a summons or juror qualification form for the purpose of avoiding service as a juror shall be fined not more than $100 or imprisoned not more than three days, or both.

"§ 1866. Qualifications for jury service.

"(a) The jury commission shall determine solely on the basis of information provided on the juror qualification form or the returned summons whether a person is qualified for or exempt from jury service: *Provided,* That such determinations shall be made by the court if other objective evidence obtained by the jury commission indicates that a person is not qualified pursuant to subparagraph (1), (3), or (4) of subsection (b) hereof. The jury commission shall enter such determination in the space provided on the juror qualification form and the alphabetical list of names drawn from the master jury wheel. If a person did not appear in response to a summons, such fact shall be noted on said list. Whenever a person is determined to be not qualified for jury service, the jury commission shall note on the space provided on the juror qualification form the specific ground of disqualification.

"(b) In making such determination the jury commission or the court shall deem any person qualified to serve on grand and petit juries in the district court unless he—

"(1) is not a citizen of the United States, twenty-one years old who has resided for a period of one year within the judicial district;

"(2) is unable to read, write, speak, and understand the English language;

"(3) is incapable, by reason of mental or physical infirmity, to render efficient jury service; or

"(4) has been convicted in a State or Federal court of record of a crime punishable by imprisonment for more than one year and his civil rights have not been restored by pardon or amnesty.

"(c) The jury commission shall maintain a qualified juror wheel and shall place in such wheel names of persons determined to be qualified as jurors. From time to time when ordered by the court, the jury commission shall publicly draw from the qualified juror wheel such number of names of persons as may be required for assignment to grand and petit jury panels. The jury commission or the clerk shall assign persons to grand or petit jury panels in accordance with the procedures prescribed pursuant to section 1864(d) of this title and prepare a separate list of names of persons assigned to each grand and petit jury panel.

"(d) When the jury commission has drawn the names of persons from the qualified juror wheel pursuant to subsection (c), the clerk shall issue summons for the required number of jurors and deliver them to the marshal for service. Each person drawn for jury service may be served personally or by registered or certified mail addressed to such person at his usual residence or business address. Such service shall be made by the marshal who shall attach to his return the addressee's receipt for the registered or certified summons, where service is made by mail.

"§ 1867. Challenging compliance with selection procedures.

"(a) In criminal cases, before the petit jury is empaneled and sworn, the defendant may move to dismiss the indictment against him on the ground of substantial failure to comply with section 1864, 1865, or 1866 of this title in selecting the grand jury. If the court determines that there has been a substantial failure so to comply, the court shall dismiss the indictment.

"(b) In criminal cases, before the petit jury is empaneled and sworn, the defendant or the Attorney General may move to stay the proceedings on the ground of substantial failure to comply with section 1864, 1865, or 1866 of this title in selecting the petit jury. If the court determines that there has been a substantial failure so to comply, the court shall stay the proceedings pending the selection of a petit jury in conformity with this title.

"(c) In civil cases, before the jury is empaneled and sworn, any party may move to stay the proceedings on the ground of substantial failure to comply with section 1864, 1865, or 1866 of this title in selecting the petit jury. If the court determines that there has been a substantial failure so to comply, the court shall stay the proceedings pending the selection of a jury in conformity with this title.

"(d) Upon motions filed under subsection (a), (b), or (c) of this section, the moving party shall be entitled to present in support of such motion the testimony of the jury commission, together with other evidence, and where there is evidence that there has been a failure to comply with section 1864, 1865, or 1866, any relevant records and papers used by the jury commission in the performance of its duties which are not public or otherwise available.

"(e) The procedures prescribed by this section shall be the exclusive means by which a person accused of a Federal crime, the Attorney General, or a party in a civil case may challenge any jury in his case on the ground that such jury was not selected in conformity with section 1864, 1865, or 1866 of this title. Nothing in this section shall preclude any person or the United States from pursuing any other remedy, civil or criminal, which may be available for the vindication or enforcement of any law prohibiting discrimination on account of race, color, religion, sex, national origin, or economic status in the selection of persons for service on grand or petit juries.

"(f) The contents of any records or papers produced pursuant to subsection (a), (b), or (c) of this section shall not be disclosed, except as may be necessary in the preparation or presentation of the motion, until after the master jury wheel has been emptied and refilled pursuant to section 1864(f) of this title and all persons selected to serve as jurors before the master wheel was emptied have completed such service: *Provided*, That the parties in a case shall be allowed to inspect, reproduce, and copy such records or papers at all reasonable times during the pendency of the motion.

"§ 1868. Maintenance and inspection of records

"After the master jury wheel is emptied and refilled, pursuant to section 1864(f) of this title, and after all persons selected to serve as jurors before the master wheel was emptied have completed such service, all of the records and papers compiled and maintained by the jury commission before the master wheel was emptied shall be preserved by the commission in the custody of the clerk for four years or for such longer period as may be ordered by a court and shall be available for public inspection. Prior to the expiration of the four-year period, the jury commission shall not disclose the contents of such records or papers to any person except (1) as provided in section 1867 of this title and in section 3432 of title 18, United States Code, (2) the court, or (3) the Administrative Office of the United States Courts.

"§ 1869. Excuse or exclusion from jury service

"(a) Except as provided in section 1872 of this title, no person or class of persons shall be excluded, excused, or exempt from service as jurors: *Provided*, That any person summoned for jury service may be (1) excused by the court for not more than six months at a time upon a showing of undue hardship or extreme inconvenience, or (2) excluded by the court upon a finding that such person may be unable to render impartial jury service or that his service as a juror would disrupt the proceedings, or (3) excluded upon peremptory challenge as provided by law, or (4) excluded upon a challenge by any party or sua sponte and a subsequent determination by the court that such person is unable to fill out the juror qualification form or is otherwise not qualified for jury service pursuant to section 1866(b) (1), (3), or (4). Whenever a person is excused or excluded from jury service, the clerk shall note in the space provided on his juror qualification form the specific ground of excuse or exclusion.

"(b) In any two-year period, no person shall be required to (1) serve or attend court for prospective service as a petit juror for more than thirty calendar days, except when necessary to complete service in a particular case, or (2) serve on more than one grand jury, or (3) serve as both a grand and petit juror.

"§ 1870. Definitions

"For purposes of this chapter—

"(a) 'Clerk' and 'clerk of the court' shall mean the clerk of the United States district court or any deputy clerk.

"(b) 'Voter registration lists' shall mean the official records maintained by State or local election officials of persons registered to vote in the most recent general election for candidates for Federal office or, in the case of a State or political subdivision thereof which does not require registration as a prerequisite to voting, such other official lists of persons qualified to vote in such election. With respect to the district courts for the districts of Guam and the Virgin Islands, 'voter registration lists' shall mean the official records maintained by territorial election officials of persons registered to vote in the most recent territorial general election. The term shall also include the list of eligible voters maintained by any Federal examiner pursuant to the Voting Rights Act of 1965 where the names on such list have not been included on the lists maintained by the appropriate State or local officials.

"(c) 'Division' shall mean one or more divisions of a judicial district established by statute, and, in judicial districts where no divisions are established by statute, shall mean such counties, parishes, or similar political subdivisions surrounding the places where court is held as the chief judge of the district shall determine: *Provided*, That each county, parish, or similar political subdivision in such districts shall be included in one division.

"(d) 'District court of the United States', 'district court', and 'court' shall mean courts constituted under chapter 5 of title 28, United States Code, section 22 of the Organic Act of Guam, as amended (64 Stat. 389; 48 U.S.C. 1424), section 21 of the Revised Organic Act of the Virgin Islands (68 Stat. 506; 48 U.S.C. 1611), and section 1 of title 3, Canal Zone Code: *Provided*, That, for purposes of sections 1861, 1862, 1867, and 1869 of this chapter, these terms shall include the District of Columbia Court of General Sessions and the Juvenile Court of the District of Columbia."

FEES

SEC. 3. (a) Section 1871 of title 28, United States Code, is amended by substituting "$20" for "$10" and "$25" for "$14" in the second paragraph, "$16" for "$10" in the third paragraph, and "$20" for "$10" in the fourth paragraph, and by substituting in the third paragraph "10 cents per mile, plus the amount expended for toll roads and toll bridges" for "10 cents per mile", in the two instances such language occurs, and by adding two new paragraphs as follows:

"Grand and petit jurors in the district courts for the districts of Guam and the Canal Zone shall receive the same fees and allowances provided in this section for grand and petit jurors in other district courts of the United States.

"Persons summoned to appear before the clerk to fill out a juror qualification form pursuant to section 1865(a) of this title shall receive the same fees and travel allowances provided in this section for jury service."

(b) Section 1821 of title 28, United States Code, is amended by substituting "$20" for "$4", "10 cents" for "8 cents" and "$16" for "$8", and by adding a new paragraph as follows:

"Witnesses in the district courts for the districts of the Canal Zone, Guam, and the Virgin Islands shall receive the same fees and allowances provided in this section for witnesses in other district courts of the United States.

AMENDMENT AND REPEAL

SEC. 4. (a) Sections 1862, 1870, 1972, 1873, and 1874 of title 28, United States Code, are renumbered as sections 1872, 1873, 1874, 1875, and 1876, respectively, of that title.

(b) Sections 13–701, 11–2301 through 2305 (except the last paragraph of section 11–2302), 11–2307 through 2312 and 7–213a of the District of Columbia Code are repealed.

(c) Except for the last paragraph of subsection (a), section 11–2306 of the District of Columbia Code is repealed and a new subsection (b) is added to the section as follows: "(b) The jury commission for the District Court for the District of Columbia shall draw from the qualified jury wheel from time to time as may be required the names of persons to serve as jurors in the District of Columbia Court of General Sessions and the Juvenile Court of the District of Columbia and such persons shall be assigned to jury panels in the General Sessions and Juvenile Courts as those courts shall direct."

(d) Section 16–1312 of the District of Columbia Code is amended by substituting "section 1866 of title 28, United States Code" for "section 11–2301, and who, in addition, are owners of real property in the District" in subsection (a)(1) and by substituting "chapter 121 of title 28, United States Code," for "chapter 23 of title 11" in subsection (c).

(e) Section 16–1357 of the District of Columbia Code is amended by striking out the phrase "are real property holders in the District and."

(f) Section 7–318 of the District of Columbia Code is amended by striking out the words "and $5 per day for each juror for the services of each when actually employed".

(g) Section 22–1414 of the District of Columbia Code is amended by inserting the words "or wheel" immediately following the word "box" each time it appears therein.

(h) Section 44 of the Act of March 2, 1917, to provide a civil government for Puerto Rico (39 Stat. 966; 48 U.S.C. 867) and sections 471 and 472(b) of title 3, sections 452, 453, and 2562(a) of title 5, and sections 4093 through 4106 and 4108 through 4117 of title 6, Canal Zone Code, are repealed. Subsections (b), (c), and (d) of section 2562 of title 5, Canal Zone Code, are redesignated as subsections (a), (b), and (c) thereof.

EFFECTIVE DATE

SEC. 5. Sections 101 and 103 of this Act shall become effective one hundred and eighty days after the date of enactment: *Provided*, That such sections shall not apply in any case in which an indictment has been returned or petit jury empaneled prior to such effective date.

## AGE DISCRIMINATION IN EMPLOYMENT—PROPOSED AMENDMENTS TO S. 830 ADMINISTRATION'S BILL

AMENDMENTS NOS. 123 THROUGH 129

Mr. JAVITS. Mr. President, yesterday I testified before the Subcommittee on Labor of the Committee on Labor and Public Welfare, on the problem of age discrimination in employment. In my testimony I referred to certain amendments to the administration bill, S. 830, which I stated I was going to introduce, and explained the purpose of the amendments. I introduce, for appropriate reference, the amendments to which I referred—they are numbered 1 through 7—and I ask unanimous consent that my testimony before the Subcommittee on Labor explaining them be printed in the RECORD, together with the text of the amendments.

The ACTING PRESIDENT pro tempore. The amendments will be received, printed, and appropriately referred; and, without objection, the testimony of Mr. JAVITS will be printed in the RECORD, together with the amendments.

The testimony submitted by Mr. JAVITS is as follows:

ADMINISTRATION AGE DISCRIMINATION BILL MUST BE AMENDED

(Testimony of Senator Jacob K. Javits at hearings on Age Discrimination in Employment before the Labor Subcommittee of the Senate Labor and Public Welfare Committee, 10:00 a.m., March 15th, Room 4230, New Senate Office Building.)

In recent years, Congress has begun to respond in a variety of ways to the problems of older Americans. Medicare, the Older Americans Act of 1965, and various sections of the anti-poverty programs represent great strides in the continuing struggle to ensure that our older citizens may live their lives with some measure of dignity. But this struggle has really just begun.

One of the most difficult problems facing our older citizens is the resistance they encounter in seeking employment when, usually because of circumstances beyond their control, they become unemployed. The accent on youth—almost a cult in the nation—understandable as it is in such a fast-moving era has nonetheless given rise to the wholly fallacious, yet widely held belief that older persons are unqualified, or less qualified, to perform many tasks in this technological age.

As Secretary Wirtz put it in his landmark report in the Older American Worker:

"An unmeasured but significant proportion of the age limitations presently in effect are arbitrary in the sense that they have been established without any determination of their actual relevance to job requirements, and are defended on grounds apparently different from their actual explanation."

Age discrimination in employment is a tragedy, not only from the standpoint of our older workers themselves, but also from the standpoint of the nation as a whole. For it represents a great waste of one of our most precious resources—in this case the talent and experience accummulated by our older workers over many years. We must also remember, too, that youth itself has a stake in guarding against age discrimination in employment for nothing but time stands between the "younger worker" and the "older worker."

The duty of Congress to act to prohibit arbitrary and unjust age limits on hiring, resulting from prejudice or, even more often, simply from misunderstanding, is clear. As Secretary Wirtz pointed out in his report:

"The elimination of arbitrary age limits on employment will proceed much more rapidly if the Federal Government declares, clearly and unequivocally, and implements, so far as is practical, a national policy with respect to hiring on the basis of ability rather than age."

Since 1957 I have been proposing in the Senate legislation to deal with the problem of age discrimination in employment. Although my proposals—and similar ones offered by others—were always warmly received, the first breakthrough did not come until 1964, when Executive Order 11141 made it the public policy of this nation to ban age discrimination in employment under Federal contracts except upon the basis of a bona fide employment qualification, retirement plan, or statutory requirement.

Then, in the Civil Rights Act of 1964 the Secretary of Labor was directed to make a study of the problem and report back to Congress. The result was a landmark report which spelled out, with facts and figures, the difficulties confronting older workers attempting to find a new job.

Last year, together with Senators Murphy, Prouty, Fannin, Griffin and Smathers, I succeeded in adding an amendment barring age discrimination in employment to the Fair Labor Standards bill which was actually adopted by the Senate. Unfortunately, the age discrimination amendment was dropped by the Conference Committee, which substituted a provision directing the Secretary of Labor to submit legislative proposals early this year. The result was S. 830 which is now before this subcommittee.

In the meantime, the States have also manifested their awareness of the problem of age discrimination in employment. Some 23 states and Puerto Rico now have laws prohibiting age discrimination in employment. Over half of these laws have been passed since 1960; all but three since 1955. Under these measures, the States have had broad success in reducing age discrimination and expanding job opportunities for older workers. The major hindrance to further progress has been limitation on staff and funds. My own State of New York, has had such a law since 1958, and substantial progress has already been made. I know that the Committee will want to question closely the representative of the New York State Commission For Human Rights, who will be here on Friday, in order to examine in detail the working of our State's law.

With the introduction of a bill by the Administration it appears that, at long last, we are going to have Federal action—and Federal action is unquestionably appropriate, for the problem is clearly national in scope.

It is important, needless to say, that any Federal age discrimination law be administered as efficiently as possible. At the same time, all parties concerned must be guaranteed a prompt and fair hearing on the many difficult questions which are sure to arise under the law.

*I believe that the most effective way of accomplishing these objectives is to utilize the Administrator of the Wage and Hour Division of the Labor Department to administer and enforce the Act.* This is the approach utilized in my bill, S. 788, which has been co-sponsored by Senators Allott, Kuchel, Murphy and Prouty. The Wage-Hour office is an existing, nationwide structure into which the functions of enforcement of the age discrimination law could properly be integrated. Here is a ready-made system of regional directors, attorneys and investigators, which has vast experience in making periodic investigations similar to those which would be required under the age discrimination law.

The Administration's bill, on the other hand, would require the establishment of a wholly new and separate bureaucracy within the Labor Department, replete with regional directors, attorneys and investigators, as well as trial examiners. Aside from the needless duplication of functions involved, one result of the Administration's approach will surely be the same delays which plague so many of our agencies, such as the EEOC and the NLRB. The EEOC, for example, is already years behind in disposing of its docket. Such delay is always unfortunate, but it is particularly so in the case of older citizens to whom, by definition, relatively few productive years are left. By utilizing the courts rather than a bureaucracy within the Labor Department as the forum to hear cases arising under the law, these delays may be largely avoided.

*We must also be sure that the law which is passed does not in practice encourage rather than discourage discrimination against older workers. One of the problems which must be faced in this connection concerns the operation of established pension plans, some of which provide benefits based to a certain extent on the age of the employee when first hired.*

*The Administration bill, which permits involuntary separation under bona fide retirement plans meets only part of the problem.* It does not provide any flexibility in the amount of pension benefits payable to older workers depending on their age when hired, and thus may actually encourage employers, faced with the necessity of paying greatly increased premiums, to look for excuses not to hire older workers when they might have done so under a law granting them a degree of flexibility with respect to such matters.

I do not mean to in any way minimize the importance of adequate pension benefits for older workers. Indeed, I have recently introduced a comprehensive bill to deal with this problem. I merely suggest that the age discrimination law is not the proper place to fight this particular battle.

*Another problem which is not specifically dealt with in the Administration bill is that of seniority.* The seniority system, as it has developed in this country, operates to ensure the job security of older workers, and thus constitutes a built-in protection against premature discharge, based on age alone. We must be sure that any age discrimination law which is adopted does not hamper the operation of bona fide seniority systems.

*I have prepared and will introduce today, a series of amendments to the Administration's bill, which I believe will meet these various problems, while retaining the most desirable features of the Administration's bill,* and of S. 788. Let me briefly describe them:

*First, the administration and enforcement of the law is placed in the hands of the Wage-Hour Division,* and the method of enforcement almost exactly parallels that used in minimum wage and hour cases—that is direct action in the District Court by the Secretary of Labor or the employee for appropriate relief. Such action may only be commenced after informal methods of conciliation have been exhausted.

*Second, the criminal penalty in cases of willful violation has been eliminated and a double damage liability substituted.* This will furnish an effective deterrent to willful violations and at the same time avoid the difficult problems of proof which would arise under a criminal provision.

*Third, a fairly broad exemption has been provided for bona fide retirement and seniority systems.* As I previously noted, S. 830 contains only a limited exemption for retirement systems and no exemption for seniority systems.

*Fourth, the proviso guarding against preemption of the jurisdiction of state agencies performing like functions is continued,* but *a provision is added giving the Secretary of Labor a very limited power to adopt uniform standards to which state agencies would have to defer.* The power could only be exercised in the case of employees whose duties require them to spend substantial amounts of time in more than one state. In the ab-

sence of some uniform Federal policy to cover such cases an employer might find himself faced with the necessity of complying with numerous and perhaps conflicting state laws for a single employee. Any regulation adopted pursuant to this power would not operate to pre-empt the jurisdiction of state agencies, it would merely obligate them to apply such Federal standards as the regulation established.

*Fifth, the Secretary of Labor's power to adopt rules and regulations, including his power to declare exemptions and to vary age limits, is expressly made subject to the provisions of the Administrative Procedure Act.*

I believe that adoption of these amendments will result in a law which is more efficient, at the same time fairer to all parties than the Administration's bill in its present form.

In conclusion, let me add that I think we all agree on the ultimate objectives of these hearings—that is to report meaningful legislation to protect the opportunities of our older workers to find employment.

Our differences concern the means to be utilized in achieving this objective. I am confident that these differences will be resolved and that this important legislation can finally be enacted. Without it we would be forced to fight the battle to protect our older citizens with one hand tied behind our backs. For all the counseling and retraining programs we may enact will be of only limited value if we cannot at the same time break down the wholly irrational barriers to employment, based on age alone, which have been permitted to spring up to hinder the older worker in his search for employment opportunities. This legislation is not the complete answer to all the problems of older workers, but it is certainly an extremely important weapon which our arsenal has for too long been without.

The amendments Nos. 123 through 129 were referred to the Committee on Labor and Public Welfare, as follows:

AMENDMENT NO. 123

On page 6, beginning with line 7, strike out down through line 10 and insert in lieu thereof: "(2) to observe a seniority system or any retirement, pension, employee benefit, or insurance plan, which is not merely a subterfuge to evade the purposes of this Act, except that no such retirement, pension, employee benefit, or insurance plan shall excuse the failure to hire any individual; or".

AMENDMENT NO. 124

On page 6, beginning with line 20, strike out all down through line 4 on page 7 and insert in lieu thereof the following: "SEC. 6. (a) The Secretary of Labor shall carry out the provisions of this Act through the Wage and Hour Division of the Department of Labor. The Secretary is authorized to employ such additional employees, consultants, and experts as are necessary to assist him in the performance of his functions under this Act.

"(b) The Secretary shall have the power to cooperate with regional, State, local, and other agencies, and to cooperate with and furnish technical assistance to employers, labor organizations, and employment agencies to aid in effectuating the purposes of this Act."

AMENDMENT NO. 125

On page 7, beginning with line 5, strike out all down through line 18 on page 9 and insert in lieu thereof the following:

"LIABILITY

"SEC. 7. (a) Any person who violates the provisions of section 4 of this Act shall be liable to any employee or applicant for employment affected in the amount of the compensation which would have been paid to him had no violation of this Act occurred, and in the case of willful violation of this Act, in an additional equal amount as liquidated damages. An action to recover such liability and for such equitable relief as may be appropriate, including, without limitation, a judgment compelling reinstatement, promotion, or hiring, may be maintained in any court of competent jurisdiction by any one or more employees or applicants for employment for and in behalf of himself or themselves and other employees or applicants for employment similarly situated. But no such action shall be commenced by or on behalf of any employee or applicant for employment until 60 days after a charge relating to the unlawful acts upon which the action is based has been filed with the Secretary by or on behalf of such employee or applicant for employment. No employee or applicant for employment shall be a party plaintiff to any such action unless he gives his consent in writing to become such a party and such consent is filed in the court in which such action is brought. The right provided by this subsection of an employee or applicant for employment to bring or join in an action shall terminate upon the filing of a complaint by the Secretary of Labor in an action under section 8, but only to the extent of the relief sought on behalf of such employee or applicant for employment in such action.

"(b) In any action brought under this section the court shall allow to the plaintiff, if the prevailing party, reasonable attorney's fees as part of the costs.

"(c) Any action authorized by this section may be commenced within 2 years after the cause of action accrued, except that a cause of action arising out of a willful violation may be commenced within 3 years after the cause of action accrued. Any such action not commenced within the period authorized by this section shall be forever barred.

"ENFORCEMENT BY THE SECRETARY

"SEC. 8. (a) Whenever the Secretary on his own investigation, or upon the basis of a written charge by or on behalf of any person claiming to be adversely affected or aggrieved, has reason to believe that a practice made unlawful by this Act has been committed, he shall, prior to instituting any action under subsection (b) of this section, endeavor to eliminate any such practice by informal methods of conference, conciliation, and persuasion.

"(b)(1) If the Secretary fails to effect voluntary compliance with the act as provided in subsection (a), he may, upon the request of any employee or applicant for employment bring an action on behalf of such individual in any court of competent jurisdiction for any relief to which such individual would be entitled under section 7. The consent of any individual to the bringing of any such an action by the Secretary, unless such action is dismissed without prejudice on motion of the Secretary, shall constitute a waiver by such individual of any right of action he may have under section 7. Any sums recovered by the Secretary on behalf of an individual pursuant to this subsection shall be held in a special deposit account and shall be paid, on order of the Secretary, directly to the individual or individuals affected. Any such sums not paid to an individual because of inability to do so within a period of three years shall be covered into the Treasury of the United States as miscellaneous receipts.

"(2) Any action authorized by this subsection may be commenced within 2 years after the cause of action occurred, except that a cause of action arising out of a willful violation may be commenced within 3 years after the cause of action occurred. Any such action not commenced within the period authorized by this paragraph shall be forever barred. In determining when such action is commenced by the Secretary under this subsection, it shall be considered to be commenced in the case of any individual claimant on the date on which the complaint is filed, if he is specifically named as a party plaintiff in the complaint, or if his name did not so appear, on the date his name is added as a party plaintiff in such action.

"(c) The Secretary of Labor is authorized to supervise the payment of part or all of the compensation for which liability is imposed by section 7 of this Act, and the agreement of any individual to accept such payment shall, upon payment in full, constitute a waiver by such individual of any right he may have under such section 7.

"JURISDICTION

"SEC. 9. The District Courts, together with the United States District Court for the District of the Canal Zone, the District of the Virgin Islands and the District Court of Guam shall have jurisdiction, for cause shown, to restrain violations of this Act and to grant such other legal or equitable relief, including without limitation, judgments compelling reinstatement, promotion or hiring and enforcing the liability imposed by section 7 of this Act, as may be appropriate to effectuate the purposes of this Act."

Renumber the succeeding sections and references thereto accordingly.

AMENDMENT NO. 126

On page 10 beginning with line 1 strike out down through line 7 and insert the following:

"INVESTIGATIONS, INSPECTIONS, AND RECORDS

"SEC. 11. (a) The Secretary or his designated representatives may investigate and gather data regarding the conditions and practices of employment in any industry subject to this Act, and may enter and inspect such places and such records (and make such transcripts thereof), question such employees, and investigate such facts, conditions, practices, or matters as he may deem necessary or appropriate to determine whether any person has violated any provision of this Act, or which may aid in the enforcement of the provisions of this Act.

"(b) With the consent and cooperation of State agencies charged with the administration of State labor laws, the Secretary may for the purpose of carrying out his functions and duties under this Act, utilize the services of State and local agencies and their employees and, not withstanding any other provision of law, may reimburse such State and local agencies and their employees for service rendered for such purpose.

"(c) Every employer subject to any provision of this Act or of any order issued under this Act shall make, keep, and preserve such records of the persons employed by him and of the wages, hours, and other conditions and practices or employment maintained by him, and shall preserve such records for such periods of time, and shall make such reports therefrom to the Secretary as he shall prescribe by regulation or order as necessary or appropriate for the enforcement of the provisions of this Act or the regulations or orders thereunder.

"(d) For the purpose of any hearing or investigation provided for in this Act, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 16, 1914, as amended (U.S.C., 1934 edition, title 15, secs. 49 and 50), are hereby made applicable to the jurisdiction, powers, and duties of the Secretary."

AMENDMENT NO. 27

On page 10, line 9, strike out "The" and insert in lieu thereof: "In accordance with the provisions of subchapter II of chapter 5 of title 5, United States Code, the".

AMENDMENT NO. 128

On page 10, line 15, strike out: "(1)".

On page 10, lines 18 and 19, strike out:

"or (2) willfully commit a practice made unlawful by this Act".

AMENDMENT NO. 129

On page 15, line 8, insert before the period a comma and the following: "except that in cases in which, by reason of the performance of services by an employee in more than one State, there is a danger of conflicting State standards applicable to such employee, the Secretary may, by order published in the Federal Register, prescribe that no State, or political subdivision thereof, shall establish an age standard with respect to such employee which differs from the Federal age standard prescribed in accordance with the provisions of this Act in the Secretary's order.".

## AMENDMENT OF COPYRIGHT LAW—AMENDMENT

AMENDMENT NO. 131

Mr. WILLIAMS of New Jersey submitted an amendment (No. 131), intended to be proposed by him to the bill (S. 597) to amend the copyright law, title 17 of the United States Code, and for other purposes, which was referred to the Committee on the Judiciary, and ordered to be printed.

## AUTHORITY FOR JOINT ECONOMIC COMMITTEE TO FILE REPORT DURING ADJOURNMENT OF THE SENATE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Joint Economic Committee be permitted to file its report, together with minority, supplemental, and individual views, following the adjournment of the Senate today.

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

## ADDITIONAL COSPONSORS OF BILLS, JOINT RESOLUTIONS, AND CONCURRENT RESOLUTION

Mr. PEARSON. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from South Carolina [Mr. THURMOND] be added as a cosponsor of the bill—S. 47—for the establishment of a commission to study and appraise the organization and operation of the executive branch of the Government.

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

Mr. INOUYE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Arkansas [Mr. MCCLELLAN] be added as a cosponsor of the bill—S. 1204—to further amend the Federal Civil Defense Act of 1950, as amended, to provide that Federal buildings shall be designed and constructed to maximize fallout protection, and that non-Federal construction, financed in whole or in part with Federal funds, may be designated to maximize fallout protection.

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

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Connecticut [Mr. DODD], I ask unanimous consent that, at the next printing of the bill—S. 1248—to provide Federal assistance to courts, correctional systems, and community agencies to increase their capability to prevent, treat, and control juvenile delinquency; to assist research efforts in the prevention, treatment, and control of juvenile delinquency; and for other purposes, the name of the junior Senator from Indiana [Mr. BAYH] be added as a cosponsor.

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

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from California [Mr. KUCHEL] be added as a cosponsor of the bill—S.1264—to provide specific support for voluntary family planning programs in friendly foreign nations.

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

Mr. BAYH. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Idaho [Mr. CHURCH] be added as a cosponsor of the bill—S. 369—to amend title XVIII of the Social Security Act so as to eliminate, in certain cases, the requirement that an insured individual have first been admitted to a hospital in order to qualify under such title for the extended care services provided thereunder.

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

Mr. BAYH. Mr. President, I also ask unanimous consent that, at its next printing, the name of the Senator from Hawaii [Mr. FONG] be added as a cosponsor of the concurrent resolution—S. Con. Res. 10—to restore Federal aid to highways.

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

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Vermont [Mr. AIKEN] be added as a cosponsor of the joint resolution—S.J. Res. 49—to designate April 28 and 29, 1967, as "Rush-Bagot Agreement Days."

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

Mr. SMATHERS. Mr. President, I ask unanimous consent that, at its next printing, my name be added to the correct or incorrect version of the joint resolution—S.J. Res. 53—to support the other American Republics in a historic new phase of the Alliance for Progress, which was introduced by the Senator from Oregon [Mr. MORSE].

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

Mr. RIBICOFF. Mr. President, I ask unanimous consent that, at its next printing, the name of the senior Senator from Hawaii [Mr. FONG] be added as a cosponsor of the bill—S. 950—to amend the Internal Revenue Code of 1954, to encourage the abatement of water and air pollution by permitting the amortization for income tax purposes of the cost of abatement works over a period of 36 months.

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

Mr. RIBICOFF. Mr. President, I also ask unanimous consent that, at the next printing of the bill—S. 1071—to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title, the names of the Senator from Oklahoma [Mr. MONRONEY] and the Senator from California [Mr. MURPHY] be added as cosponsors.

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

## NOTICE OF HEARING ON NOMINATION OF RICHARD B. SMITH, OF NEW YORK, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION

Mr. SPARKMAN. Mr. President, I wish to announce that the Committee on Banking and Currency will hold a hearing on Tuesday, March 21, 1967, on the nomination of Richard B. Smith, of New York, to be a member of the Securities and Exchange Commission.

The hearing will commence at 10 a.m. in room 5302, New Senate Office Building.

Persons desiring to testify or to submit statements in connection with this nomination should notify Mr. Lewis G. Odom, Jr., staff director, Senate Committee on Banking and Currency, room 5300, New Senate Office Building, Washington, D.C. 20510, telephone 225–3921.

## NOTICE OF HEARING OF A STUDY OF MORTGAGE CREDIT

Mr. SPARKMAN. Mr. President, I should like to announce that the Subcommittee on Housing is undertaking a study of mortgage credit. The 1966 experience on the shortage of mortgage credit has created a near disaster in our homebuilding industry. Although there has been a decided improvement in the availability of credit, homebuilding has not yet recovered from one of its worse setbacks since the 1930's. Only yesterday, housing starts for February were announced at the annual rate of 1,089,000, more than 20 percent below the corresponding 1966 figure.

The subcommittee's study will be made, not only to find answers to the current mortgage credit shortages, but also to examine existing credit facilities and to make recommendations for changes, if necessary, to insure an adequate flow for future housing needs.

The study calls for papers to be prepared by Government and private experts in the field of mortgage credit. The papers will be published, following which roundtable-type hearings will be held among the participants.

## NOTICE OF HEARINGS ON S. 928

Mr. LONG of Missouri. The Subcommittee on Administrative Practice and Procedure will begin hearings on S. 928, the Right to Privacy Act of 1967, on March 20, 1967, at 10 a.m., in room 5302, New Senate Office Building. The wit-

ness that day shall be our distinguished Attorney General, Mr. Ramsey Clark.

Hearings will resume after Easter. Those wishing to submit statements or to testify on S. 928 should write to the subcommittee's Chief Counsel, Bernard Fensterwald, Jr., room 3214 New Senate Office Building, Washington, D.C.

## NOTICE OF HEARINGS ON S. 1155 TO AMEND THE EXPORT-IMPORT BANK ACT OF 1945

Mr. MUSKIE. Mr. President, I should like to announce that the Subcommittee on International Finance of the Committee on Banking and Currency will hold hearings on April 12 on S. 1155, a bill to amend the Export-Import Bank Act of 1945, as amended, to shorten the name of the bank, to extend for 5 years the period within which the bank is authorized to exercise its functions, to increase the bank's lending authority and its authority to issue, against fractional reserves, export credit insurance and guarantees, and for other purposes. The hearings will commence at 10 a.m. in room 5302, New Senate Office Building.

Persons desiring to testify or to submit written statements in connection with this bill should notify Mr. Matthew Hale, Chief Counsel, Senate Committee on Banking and Currency, room 5300, New Senate Office Building, Washington, D.C. 20510, telephone 225–3921.

## NOTICE OF RESUMPTION OF HEARINGS ON CREATIVE FEDERALISM

Mr. 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, Committee on Government Operations, will resume its second phase of hearings on Creative Federalism next week. During this second phase we are exploring the roles of State, local, and metropolitan governments as partners in our Federal system. More specifically, we are inquiring into the problems which these governments encounter in implementing Federal assistance programs and in cooperating with each other toward improved public development.

The hearings will be held on March 21 and 22 in room 1114, New Senate Office Building, and on March 23 in room 3302, New Senate Office Building, beginning at 9:30 a.m.

## DECLARATION OF THE CATHOLIC BISHOPS ON CATHOLIC-JEWISH RELATIONS

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the declaration of the bishops of the Catholic Church of the United States on the Catholic-Jewish relations. This, I believe, represents a historic document which ought to be read with the greatest of care and which the world ought to note with deep satisfaction.

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

[From the New York Times, Mar. 16, 1967]

### CATHOLIC GUIDELINES ON RELATIONS TO JEWS

### GUIDELINES FOR CATHOLIC-JEWISH RELATIONS

*Perspectives*

In its Declaration on the Relationship of the Church to Non-Christian Religions of 1965, the Second Vatican Council issued a historic Statement on the Jews and summoned all Catholics to reappraise their attitude toward, and relationship with, the Jewish people.

The statement was, in effect, a culminating point of initiatives and pronouncements of recent Pontiffs and of numerous endeavors in the church concerned with Catholic-Jewish harmony. It was also the point of convergence of many insights opened by Pope Paul's Encyclical Ecclesiam Suam and the Council's Constitution on the Church and Decree on Ecumenism.

The call of the council to a fraternal encounter with Jews may be seen, further, as one of the more important fruits of the spirit of renewal generated by the council in its deliberations and decrees. Was it not indeed the council's response to Pope John XXIII's famous words in which he embraced the Jewish people: "I am Joseph your brother"? (Gen. 45:4)

More specifically, the council's call is an acknowledgment of the conflicts and tensions that have separated Christians and Jews through the centuries and of the church's determination, as far as possible, to eliminate them. Well does it serve both in word and action as a recognition of the manifold sufferings and injustices inflicted upon the Jewish people by Christians in our own times as well as in the past. The statement speaks from the highest level of the church's authority to serve notice that injustices directed against the Jews at any time from any source can never receive Catholic sanction or support.

*Message is clear*

The message of the council's statement is clear. Recalling in moving terms the "spiritual bond that ties the people of the New Covenant to Abraham's stock," the Fathers of the Council remind us of the special place Jews hold in the Christian outlook, for "now as before God holds them as most dear for the sake of the patriarchs; He has not withdrawn His gifts or calling."

Jews, therefore, the Fathers caution, are not "to be presented as rejected or accursed by God, as if this followed from holy scripture." The Passion of Jesus, moreover, "cannot be attributed without distinction to all Jews then alive, nor can it be attributed to the Jews of today." The church, the statement declares, "decries hatred, persecutions, displays of anti-Semitism directed against the Jews at any time and by anyone."

In light of these principles the Fathers enjoin that "all see to it that nothing is taught, either in catechetic work or in the preaching of the Word of God that does not conform to the truth of the Gospel and the spirit of Christ."

Rather should Christians and Jews "further their mutual knowledge of and respect for one another, a knowledge and respect deriving primarily from biblical and theological studies and fraternal diagogues."

Responding to the urgency of the Conciliar Statement on the Jews, our American Bishops have established, as part of their Commission for Ecumenical Affairs, a subcommission for Catholic-Jewish Relations, with Bishop Francis P. Leipzig of Baker, Ore., as chairman, Bishop Aloysius J. Wycislo of Chicago, Ill., as vice chairman, and the Right Rev. George Higgins as secretary. This subcommission will devote itself exclusively to Catholic-Jewish affairs. The guidelines which follow, composed by the subcommission, are designed to encourage and assist the various dioceses of the country in their efforts to put into action at all levels of the Church the council's directives.

The church in America is faced with a historic opportunity to advance the cause of Catholic-Jewish harmony throughout the world—an opportunity to continue the leadership taken in that direction by our American Bishops during the great debate on the statement at the council.

In the United States lives the largest Jewish community in the world. In the United States, a land that has welcomed immigrants and refugees from persecution, the church has committed herself without reserve to the American ideal of equal opportunity and justice for all. In such a setting the church in America today is providentially situated to distinguish itself in pursuit of the purposes of the council's statement.

It is our prayerful hope that the norms and recommendations of these guidelines will prove helpful to American Catholics in attaining this noble objective.

*General principles*

1. It is recommended that in each diocese in which Jews and Christians live a commission or secretariat, or some member thereof, be assigned to Catholic-Jewish affairs.

2. In keeping with the spirit of the Council's Declaration on Ecumenism, Catholics should take the initiative not only in Catholic-Protestant and Orthodox affairs, but also in fostering Catholic-Jewish understanding. Public and formal projects, however, should have the approval of the Ordinary of the diocese.

3. The general aim of all Catholic-Jewish meetings is to increase our understanding both of Judaism and the Catholic faith, eliminate sources of tension and misunderstanding, initiate dialogues or conversations on different levels, multiply intergroup meetings between Catholics and Jews, and promote cooperative social action.

4. These meetings should be marked by a genuine respect for the person and freedom of all participants and a willingness to listen and to learn from the other party. They should be jointly planned and developed.

5. In order to avoid possible apprehensions concerning the objectives of these meetings, their scope and confines should be mutually agreed upon in advance.

6. It is recommended that in order to maintain the dialogue on the highest possible level its organization be accomplished in consultation with those experienced in the structural, doctrinal and interpersonal skills which the dialogue requires.

7. It is understood that proselytizing is to be carefully avoided in the dialogue, the chief aim of which, as Cardinal Bea has pointed out in his The Church and the Jewish People, "is not specifically concerned with the differences between Christianity and other religions, that is to say, with the characteristic features of the former, but rather with the points which it has in common with other faiths."

8. Prayer in common with Jews should, whenever it is feasible, be encouraged, especially in matters of common concern, such as peace and the welfare of the community. Needless to say, such prayers should meet the spiritual sensibilities of both parties, finding their inspiration in our common faith in the one God.

*Recommended programs*

1. Catholic-Jewish relations should be advanced on all levels; clerical and lay, academic and popular, religious and social.

2. A favored instrument is the dialogue, a form of group conversation in which competent participants discuss assigned topics or themes in openness, candor and friendship. Those not well versed in interreligious affairs run the risk of unwittingly offending by inaccurate portrayal of each other's doctrine or way of life.

3. Diocesan and parochial organizations,

schools, colleges, universities, and especially seminaries should organize programs to implement the statement.

4. The pulpit should also be used for expounding the teachings of the statement and exhorting participation in programs fitted to the parochial level.

5. School texts, prayerbooks and other media should, under competent auspices, be examined in order to remove not only those materials which do not accord with the content and spirit of the statement, but also those which fail to show Judaism's role in salvation-history in any positive light.

6. It is recommended that Catholic-Jewish understanding be fostered effectively at the popular level by means of so-called "open houses" in places of worship, mutual visits to schools, joint social events and "living room dialogues."

7. Catholic-Jewish cooperation in the field of social action designed to promote public welfare and morality should be encouraged.

8. Orientation and resource material for the foregoing recommendations may be sought from the various Catholic and Jewish organizations that have been active in the field of Christian-Jewish relations. It is also suggested that contact be made with Protestant agencies and leadership experts in this area of endeavor.

9. While popular "grassroots" programs to improve Catholic-Jewish relations must be pressed forward without delay, slower and deeper explorations of pertinent issues by Catholic and Jewish scholars must also be given a high priority. Since many of the problems in this area of Catholic-Jewish relations are intellectual in nature, research in history, psychology, sociology and the Bible by individual Catholic and Jewish scholars as well as collaborative scholarly enterprises are to be highly commended.

10. The following themes which, among others, are viewed by Christian and Jewish dialogists as important issues affecting Christian-Jewish relations merit the attention and study of Catholic educators and scholars.

a. Scholarly studies and educational efforts to show common historical, Biblical, doctrinal and liturgical heritage shared by Catholic and Jews, as well as their differences.

b. As the statement requires, the presentation of the Crucifixion story in such a way as not to implicate all Jews of Jesus's time or of today in a collective guilt for the crime.

c. In keeping with the statment's strong repudiation of anti-Semitism, a frank and honest treatment of the history of Christian anti-Semitism in our history books, courses and curricula.

d. A study of the life of Jesus and of the primitive church in the setting of the religious, social, and cultural features of Jewish life in the first century.

e. An explicit rejection of the historically inaccurate notion that Judaism of that time, especially that of Pharisaism, was a decadent formalism and hypocrisy, well exemplified by Jesus' enemies.

f. An acknowledgment by Catholic scholars of the living and complex reality of Judaism after Christ and the permanent election of Israel, alluded to by St. Paul (Rom. 9:29), and incorporation of the results into Catholic teaching.

g. A full and precise explanation of the use of the expression "the Jews" by St. John and other New Testament references which appear to place all Jews in a negative light. (These expressions and references should be fully and precisely clarified in accordance with the intent of the Statement that Jews are not to be "presented as rejected or accursed by God as if this followed from holy scripture.")

This subcommission for Catholic-Jewish relations remains available to individuals or groups in the various dioceses for further information and for practical aids and suggestions for their efforts in the area of Catholic-Jewish affairs.

Please address correspondence to:

Office of the Secretary, Secretariat for Catholic-Jewish Relations, 1312 Massachusetts Avenue, N.W., Washington, D.C. 20005.

Mr. JAVITS. Mr. President, I ask unanimous consent that a newspaper article from the New York Times relating to this matter may be printed in the RECORD as part of my remarks.

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

[From the New York (N.Y.) Times, Mar. 16, 1967]

CATHOLICS SEEK NEW JEWISH TIES—BISHOPS' GUIDELINES SUGGEST OFFICIAL AND LAY CONTACTS AND PRAYER IN COMMON

(By Edward B. Fiske)

An agency of the National Conference of Catholic Bishops issued yesterday a set of guidelines for Jewish-Catholic relations that urges Roman Catholics to initiate contacts between the two faiths at both official and "grassroots" levels.

The guidelines call for common prayer with Jews and for acknowledgment by Catholics of the "living and complex reality of Judaism after Christ."

They urge a "frank and honest" treatment of historic Christian anti-Semitism and state that the Crucifixion story should be presented "in such a way as not to implicate all Jews of Jesus' time or of today in a collective guilt for the crime."

TWO THOUSAND-WORD DOCUMENT

The guidelines are contained in a 2,000-word document issued by the Bishops' Committee for Ecumenical and Interreligious Affairs, which was created last November at the founding meeting of the National Conference of Catholic Bishops.

The conference was established in accordance with Ecumenical Council instructions for the formation of a conference of Bishops in each country.

The chairman of the committee is the Most Rev. John J. Carberry, Bishop of Columbus, Ohio. The Most Rev. Francis P. Leipzig, Bishop of Baker, Oreg., is chairman of the subcommission for Catholic-Jewish Relations, which drafted the guidelines.

Msgr. William W. Baum, executive director of the committee, described the document yesterday as "a sign that the American hierarchy is seriously committed to carrying out the call of the Ecumenical Council for increased understanding between Christians and Jews."

He said that the drawing up of guidelines for interfaith discussions and other projects was "only a beginning" and that the next step would be the establishment of a Secretariat for Catholic-Jewish Relations.

This secretariat, which could be established when the American bishops meet next month in Chicago, is one of four operating arms that are projected for the committee. A secretariat for Christian Unity is already functioning; the others will deal with non-Christian religions other than Judaism and with "nonreligious" groups such as humanists.

GUIDELINES WELCOMED

The guidelines were generally welcomed yesterday by Jewish leaders who have been active in dialogues and cooperative social action with Christians.

Rabbi Jacob Weinstein, president of the Central Conference of American Rabbis (Reform), for instance, described it as "a most helpful and welcome document."

Contacts between Jews and both Catholics and Protestants have increased greatly in recent years, especially following the Ecumenical Council of 1962-1965.

Reform and Conservative Jews in this country have for the most part welcomed dialogue and cooperation on religious and other subjects. Most Orthodox Jews have limited their participation to "nonreligious" subjects such as civil rights, however, and some oppose any interfaith cooperation by religious groups.

The guidelines quote extensively from the decrees of the Ecumenical Council, especially the Declaration on the Relationship of the Church to Non-Christian Religions, which condemned anti-Semitism.

HISTORIC OPPORTUNITY

They noted that the United States had "the largest Jewish community in the world" and that the church in America had "a historic opportunity to advance the cause of Catholic-Jewish harmony."

The document lists 10 principles of dialogue, including a number of themes appropriate for dialogue, it urges the creation of an agency to encourage Catholic-Jewish contacts in every diocese where there are Jews and states that dialogue should be carried out not only by scholars and students but also in the homes of laymen.

The guidelines say that proselytism should be "carefully avoided" during interfaith discussions and that meetings should be planned and developed jointly.

The document endorses discussion of religious topics such as the "historical, Biblical, doctrinal and liturgical heritage shared by Catholics and Jews, as well as their differences."

It calls for Catholics to acknowledge the "permanent election of Israel" cited by St. Paul and specifically rejects any suggestion that first-century Judaism, especially that of the Pharisees, was "a decadent formalism and hypocrisy, well exemplified by Jesus' enemies."

## AN EDEN WITHOUT SERPENTS? UNLIKELY

Mr. JAVITS. Mr. President, only on the simplest of charts is progress an evenly rising line. Just as in the learning and growing process there is both trial and error, so the pathway to progress is not smoothly paved all the way.

In a cogent article in the New York Times of Sunday, March 5, the Times eminent drama critic, Walter Kerr, has examined the new growth being experienced by the theater in the United States. He contrasts our experience with that of the European theater, so often pictured as a model for the United States; and with theater in European Communist countries which some in the programs—actors, directors, producers, and writers—sometimes seek to idealize.

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 across-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 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 millennium and a playwriting 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 character 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 now 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 to 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 credit *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 serpents 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.

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## PRESIDENT JOHNSON'S ADDRESS BEFORE THE TENNESSEE LEGISLATURE

Mr. BYRD of Virginia. Mr. President, the address yesterday by the President of the United States before the Tennessee Legislature is a significant one—and one that should be pondered carefully by the American people.

President Johnson marshaled the facts regarding Vietnam, and in language more forceful than ever before, he asserted the determination of the United States to achieve an honorable peace in southeast Asia.

The President made clear that—

We do not want permanent bases. We will begin withdrawal of our troops . . . whenever reciprocal concessions are forthcoming from our adversary.

With reference to the bombing of military targets in North Vietnam, he reported—

The firm belief of the Secretary of Defense, the Joint Chiefs of Staff, the Central Intelligence Agency, and all the sources of information and advice at my command that the bombing is causing serious disruption and added expense to the North Vietnamese infiltration effort.

The President emphasized, too, what so many of his critics overlook:

The strength of Communist main force units in the south are clearly based on infiltration from the north.

Frequently on the floor of the Senate I have contended that so long as we have great masses of American military personnel in South Vietnam, our Government is obligated to give them full support by seeking the elimination of meaningful military targets in North Vietnam.

President Johnson put it this way in the most significant sentence of his significant speech:

It is simply unfair to American—and Vietnamese—soldiers to ask them to face increased enemy personnel and firepower without making an effort to reduce that infiltration.

That sentence, I feel, should be repeated again and again. The President's words were simple ones, but vital ones.

I commend the President for the clarity in which he stated the case, and I concur in his assertion that it is unfair to our soldiers to ask them to face increased enemy action without making full effort to reduce enemy military capabilities.

I feel absolutely certain that no man in our Nation desires peace more than does the President. It is he who daily must make the agonizing decisions which mean life or death to so many Americans.

I commend the President, too, for his appointment of the distinguished diplomat, Mr. Ellsworth Bunker, as our Ambassador to the Government of South Vietnam. Ambassador Bunker through the years has rendered able and devoted service, and the experience he has acquired on five continents should mean much to our Nation as he faces the difficult assignment at Saigon.

I ask unanimous consent to have printed in the RECORD the text of the President's address delivered yesterday at Nashville, Tenn.

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

PRESIDENT'S REMARKS TO TENNESSEE LEGISLATURE

*Following is a text of President Johnson's prepared remarks before a joint session of the Tennessee Legislature:*

It is always a special pleasure for me to visit Tennessee.

For a Texan, it is like a homecoming. Much of the courage and hard work that went into the building of the Southwest came from the hills and fields of Tennessee. It strengthened the sinews of thousands of men—at the Alamo, at San Jacinto and in the homes of a pioneer people.

This morning I visited the Hermitage, the historic home of Andrew Jackson. Two centuries have passed since that most American of Americans was born. The world has changed much since his day. But the qualities which sustain men and nations in positions of leadership have not changed.

In our time as in Jackson's, freedom has its price.

In our time as in his, history conspires to test the American will.

In our time as in his, courage, vision and the willingness to sacrifice will sustain the cause of freedom.

IMPRINT MADE

This generation of Americans is making its imprint on history in the fierce hills and sweltering jungles of Vietnam. I think most of our citizens have—after a penetrating debate which is our democratic heritage—reached a common understanding on the meaning and objectives of that struggle.

Before I discuss the specific questions that remain at issue, let me review the points of widespread agreement.

Two years ago we were forced to choose between major commitments in defense of South Vietnam and retreat:

The evacuation of more than 25,000 of our troops.

The collapse of the Republic of Vietnam in the face of subversion and external assault.

Andrew Jackson would not have been surprised at our choice.

We chose a course in keeping with our tradition, with the foreign policy of three Administrations, with the expressed will of Congress, with our solemn obligations under the Southeast Asian Treaty, and with the interests of 16 million South Vietnamese who had to wish to live under communist domination.

VOICES RAISED

As our commitment in Vietnam required more men and equipment, some voices were raised in opposition. The Administration was urged to disengage, to find an excuse to abandon the effort.

These cries came despite growing evidence that the defense of Vietnam held the key to the political and economic future of free Asia. The stakes of the struggle grew correspondingly.

It became clear that if we were prepared to stay the course in Vietnam, we could help to lay the cornerstone for a diverse and independent Asia, full of promise and resolute in the cause of peaceful economic development for her long-suffering peoples.

But if we faltered, the forces of chaos would scent victory and decades of strife and aggression would stretch endlessly before us.

The choice was clear. We would stay the course. And we shall stay the course.

I think most Americans support this fundamental decision. Most of us remember the fearful cost of ignoring aggression. Most of us have cast aside the illusion that we can live in an affluent fortress while th world slides into chaos.

BASIC OBJECTIVES

I think we have also reached broad agreement on our basic objectives in Vietnam.

First, an honorable peace that will leave the people of South Vietnam free to fashion their own political and economic institutions without fear of terror or intimidation from the North.

Second, a Southeast Asia in which all countries—including a peaceful North Vietnam—apply their scarce resources to the real problems of their people: combating hunger, ignorance and disease.

I have said many times that nothing would give us greater pleasure than to invest our own resources in the constructive works of peace rather than the futile destruction of war.

Third, a concrete demonstration that aggression across international frontiers is no longer an acceptable means of political change.

There is also a general agreement among Americans on the things we do not want in Vietnam.

We do not want permanent bases. We will begin withdrawal of our troops on a reasonable schedule whenever reciprocal concessions are forthcoming from our adversary.

We do not seek to impose our political beliefs upon South Vietnam. Our republic rests upon a brisk commerce in ideas. We will be happy to see free competition in the intellectual marketplace whenever North Vietnam is willing to shift the conflict from the battlefield to the ballot box.

These are the broad principles on which most Americans agree.

QUESTIONS ARISE

On a less general level, however, the events and frustrations of these past few difficult weeks have inspired a number of questions about our Vietnam policy in the minds and hearts of many of our citizens. Today I want to deal with some of those questions that figure most prominently in the press and the many letters which reach my desk.

Many Americans are confused by the barrage of information about military engagements. They long for the capsule summary which has kept tabs on previous wars, a line on the map dividing friends from foe.

Precisely what, they ask, is our military situation, and what are the prospects for victory?

The first answer is that Vietnam is aggression in a new guise, as far removed from trench warfare as the rifle from the longbow. This is a war of infiltration, of subversion, of ambush. Pitched battles are rare, and even more rarely decisive.

Today, more than 1 million men from the Republic of Vietnam and its six allies are engaged in the order of battle.

Despite massive increases in North Vietnam infiltration, this strengthening of allied forces in 1966 was instrumental in reversing the whole course of the war:

We estimate that 55,000 North Vietnamese and Vietcong were killed in 1966, compared with 35,000 the previous year. Many more were wounded, and more than 20,000 defected.

By contrast, 9,500 South Vietnamese, 5,000 Americans and 600 from other allied forces were killed in action.

The Vietnamese army achieved a 1966 average of 2 weapons captured from the Vietcong to every one lost, a dramatic turn around from the previous two years.

Allied forces have made several successful sweeps through territories that were considered Vietcong sanctuaries only a short time ago. These operations not only cost the enemy large numbers of men and weapons, but are very damaging to his morale.

RESULTS PRODUCED

What does this mean?

Will the North Vietnamese change tactics? Will there be less infiltration of main units and more guerrilla warfare?

The truth is we don't know.

What we do know is that our strategy has produced results, that our military position has substantially improved, and that our military success has permitted the groundwork to be laid for a pacification program which is the long-run key to an independent South Vietnam.

Since February, 1965, our military operations have included selective bombing of military targets in North Vietnam. Our purposes are three:

To back our fighting men by denying the enemy a sanctuary.

To exact a penalty against North Vietnam for her flagrant violation of the Geneva accords of 1954 and 1962.

To limit the flow, or substantially increase the cost of infiltration of men and materiel from North Vietnam.

Our intelligence confirms that we have been successful.

MUST WE BOMB?

Yet, some object strongly to this aspect of our policy. Must we bomb? They ask. Does it do any military good? Is it consistent with our limited objectives? Is it an inhuman act aimed at civilians?

On the question of military utility, I can only report the firm belief of the Secretary of Defense, the Joint Chiefs of Staff, the Central Intelligence Agency, and all the sources of information and advice at my command that the bombing is causing serious disruption and added expense to the North Vietnamese infiltration effort.

We know, for example, that half a million people are kept busy just repairing bomb damage to bridges, roads, railroads and other strategic facilities, and in air and coastal defense.

I also want to say categorically that it is not the position of your Government that the bombing will be decisive in getting Hanoi to abandon aggression. It has, however, created substantial problems for them. The best indication of how substantial is the fact that they are working so hard to get us to stop.

The bombing is entirely consistent with our limited objectives in South Vietnam. The strength of Communist main-force units in the South is clearly based on infiltration from the North. It is simply unfair to American—and Vietnamese—soldiers to ask them to face increased enemy personnel and firepower without making an effort to reduce that infiltration.

CIVILIANS IN WAR

As for bombing civilians, I would simply say that we are making an effort unprecedented in the history of warfare to be sure that we do not. It is our policy to bomb military targets only.

We have never deliberately bombed cities, nor attacked any target with the purpose of inflicting civilian casualties.

We recognize, and regret, that some people living and working in the vicinity of military targets have suffered.

We also are all too aware that men and machines are not infallible, and that some mistakes have occurred.

But our record on this account is, in my opinion, highly defensible.

Look for a moment at the record of the other side.

Any civilian casualties that result from our operations are inadvertent, in stark contrast to the calculated Vietcong policy of sysmatic terror.

Tens of thousands of innocent Vietnamese civilians have been killed, tortured and kidnaped by the Vietcong. There is no doubt about the deliberate nature of this program. One need only note the frequency with which Vietcong victims are village leaders, teachers, health workers and others trying to carry out constructive programs.

Yet the deeds of the Vietcong go largely unnoted in the public debate. It is this moral double bookkeeping which makes us weary of some of our critics.

NEGATIVE RESPONSE

But there is another question: Why don't we stop bombing to make it easier for them to begin negotiations?

The answer is:

• We stopped for 5 days and 20 hours in May, 1965. Representatives of Hanoi simply returned our message in a plain envelope.

• We stopped bombing for 36 days and 15 hours in December, 1965, and January, 1966. They replied: "A political settlement of the Vietnam problem can be envisaged only when the United States Government has accepted the four-point stand of the government of the Democratic Republic of Vietnam, has proved this by actual deeds, has stopped unconditionally and for good its air raids and all other acts of war against the Democratic Republic of Vietnam."

• Last month we stopped bombing for 5 days and 18 hours, after many prior weeks in which we had communicated to them several possible routes to peace, any one of which we were prepared to take. Their response, as delivered to His Holiness the Pope, was this: The United States "must put an end to their aggression in Vietnam, end unconditionally and definitively the bombing and all other acts of war against the Democratic Republic of Vietnam, withdraw from South Vietnam all American and satellite troops, recognize the South Vietnam National Front for Liberation, and let the Vietnamese people settle themselves their own affairs."

That is where we now stand.

They have three times rejected a bombing pause as a means to open the way to ending the war.

FURTHER TRAGEDY

The tragedy of South Vietnam is not limited to casualty lists.

There is much tragedy in the story of a nation at war for nearly a generation. It is the story of economic stagnation. It is the story of a generation of young men—the flower of the labor force—pressed into military service by one side or the other.

No one denies that the survival of South Vietnam is heavily dependent upon early economic progress.

My most recent hopeful report of progress in this area came from an old friend of the Tennessee Valley—David Lilienthal, who recently went to Vietnam to work with the Vietnamese on economic planning.

He reported—with some surprise, I might add—that he discovered an extraordinary air of confidence among farmers, village leaders, trade unionists and industrialists. He concluded that their economic behavior suggests "that they think they know how this all is going to come out."

Mr. Lilienthal also said that the South Vietnamese were among the hardest working people he had seen in developing countries around the world. That "to have been through 20 years of war and still have this amount of 'zip' almost ensures their long-term economic development."

Our AID programs are also supporting the drive toward a sound economy.

But none of these economic accomplishments will be decisive in itself. And no economic achievement can substitute for a strong and free political structure.

We cannot build such a structure—only the Vietnamese can do that.

And they are. As I am talking to you here, a freely elected Constituent Assembly in Saigon is wrestling with the last details of a new constitution, one which will bring the Republic of Vietnam to full membership among the democratic nations of the world.

In the midst of war, they have been building for peace and justice. That is a remarkable accomplishment in the annals of mankind.

## OBSERVATIONS OF A PARTICIPANT IN VIETNAMESE AFFAIRS

Mr. TOWER. Mr. President, in view of this body's continuing commitment to a searching analysis of all the complex facets of our southeast Asian policy, I would like to share with other Senators the views of a man whom I regard as a thoughtful and well-informed observer of and participant in Vietnamese affairs.

I speak of Brig. Gen. B. B. Talley, U.S. Army, retired, of Mangum, Okla. For many recent months General Talley has been in Vietnam in charge of a group of engineers doing contract work for the Navy. He feels strongly, as many of us feel, that Americans must be fully advised about the scope of our stake in Asia.

I therefore ask unanimous consent that there be printed in the RECORD excerpts from a letter he has written to me, and I commend his straight-from-the-shoulder comments to the attention of the Senate and of all Americans.

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

EXCERPTS FROM LETTER OF BRIG. GEN. B. B. TALLEY

I have been in Vietnam for nearly eighteen months in charge of a group of engineers under contract to the U.S. Navy.

We are winning this war politically, socially, and economically, as well as militarily. We should be permitted to fight it to a successful conclusion. You may rest assured if the Communists ever come to a conference table it will be under circumstances which they consider advantageous.

A truce right now would mean defeat. Ho Chi Minh was given to understand at the conclusion of the Geneva Conference in 1954 that he would have South Vietnam within two years. He dispersed his forces and left them here where they continued to control vast areas of the country. They have worked assiduously to subvert the people and are responsible for the present condition in South Vietnam. A truce at this time would open the door for further subversion and they would undo what we have accomplished and all our trouble and effort would come to naught.

What we need is time. Give us two years more; some say three; and we can build a nation here which can, with our help, stand on its own feet. The situation here is much brighter for building an independent nation than it was in South Korea in 1945. You have only to contrast the present conditions during this New Year's Festival Season with what it was a year ago. You can see how much has been accomplished and how rapidly progress is being made. A year ago, fear was written in the faces of the people. This year they are relaxed and are beginning to see a ray of hope. A truce would mean surrender.

## POVERTY BLIGHT AND WASTE OF HUMAN RESOURCES

Mr. MONDALE. Mr. President, I strongly support the goals expressed in the President's message on America's unfinished business. Its core theme is the imperative need for an even greater effort to overcome poverty, blight, and the waste of precious human resources. Much progress has been made against poverty through the economic opportunity programs authorized by the Congress a short two and a half years ago. But much more is necessary. I am convinced that now more than ever the need is to persevere and redouble our efforts.

The best current estimate is that 32.7 million Americans live in conditions of poverty. Of this number, over 9 million have already been reached by community action programs, which are operating in over 1,000 communities from coast to coast. Over 800,000 of the 4.1 million young people, between the ages of 14 and 21, who live in poverty have been able to participate in the Neighborhood Youth Corps. Over 54,000 of these young people, by the end of this fiscal year, will have been successfully trained for good jobs and decent, productive lives through the Job Corps. Approximately 14,000 previously unemployed adults, whose families were receiving welfare payments, have been provided useful work experience and training under title V of the Economic Opportunity Act; 87,000 persons in 23,000 families are benefiting from rural opportunity loans under title III to combat poverty in rural America.

These figures tell a good deal, but they do not come close to revealing what a tremendous impact economic opportunity programs have had upon human lives in countless thousands of local antipoverty encounters. They do not reflect the immense boost in life which Headstart gives a little child from a poor family—or which upward bound gives to that child's teenage brother or sister—or which a legal services project of a neighborhood health center can give to an entire family—or which a foster grandparents project gives to a lonely and poor elderly person as well as to the institutionalized child in his or her care.

Dry statistics do not begin to tell the story of the transformations being wrought on Indian reservations, in migrant workers camps, in Appalachian hollows and in urban slums by the economic opportunity programs launched just a little over 2 years ago. Nor do they begin to account for the tremendous commitment which American industry, civic and professional leaders, public officials, private groups, and religious or-

ganizations have made to victory in the war on poverty. America has been aroused, and alerted as to the presence of poverty in our midst and the imperative need to overcome it.

The "unfinished business" to which the President refers involves an expansion of our national effort to help our less fortunate fellow citizens help themselves out of poverty, out of undereducation, out of blighted neighborhoods, out of joblessness, hopelessness, and social alienation, and into the mainstream of American prosperity and American democracy.

## OMBUDSMAN

Mr. LONG of Missouri. Mr. President, interest in the subject of ombudsman is evident from the many news articles and editorials which daily are coming across my desk.

I ask unanimous consent to have printed at this point in the RECORD a column entitled "For the Ombudsman, a Hearty Skoal," published in the December 16, 1966, issue of Life magazine.

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

[From Life magazine, Dec. 16, 1966]

FOR THE OMBUDSMAN, A HEARTY SKOAL

(By Loudon Wainwright)

Help Wanted: Senior citizen in good health and full vigor. Must have impeccable standing in community, legal background preferred. Should be able to regard the performance of public officials with cool detachment and to cast a critical eye on heavy-handed administrative rules and bureaucratic procedures. Must be willing to listen with judicial patience to even the pettiest complaints of the lowliest citizens and prepared to speak out and act for the individual in all cases where he is being wronged by government. Must be impervious to pressure and indifferent to rank. Candidates with political obligations or ambitions need not apply. Salary will be suitable.

The list of qualifications cited above offers some guidelines for the position of "ombudsman," an intriguing job category I hope is going to develop with some success on the American scene. In fact, it strikes me as one of the most interesting employment inventions ever, and I have a not-so-sneaking wish that I were old enough, impeccable enough and had the legal experience to apply. For the job is, in itself, a marvelously open admission that government operations on all levels are capable of abusing the citizenry, and that public officials, elected or appointed, are on occasion cruel, venal, careless or stupid. The fact that under the ombudsman concept a private person can take his beef against the system to a man with the responsibility and authority to explore it and even to *do* something about it is positively intoxicating.

Of course, the idea has not really caught on here at all, though there has been a lot of talk about it recently. Especially in New York City, where a civilian-dominated board to review complaints against the police was resoundingly voted out of existence, the motion is being considered as an alternative, and it is spoken of with polite interest even by those who bitterly opposed the review board. Mayor John Lindsay, who fought to keep the board, is studying the possibilities of creating an ombudsman office for the city, and under the sponsorship of the local Civil Liberties Union prominent citizens have been meeting to try to reach agreement on some general recommendations. Yet my hunch is that politicians in New York and elsewhere in the country will be somewhat sluggish about welcoming unbeholden men to power, particularly when one of the prime charges of that power is to illuminate and thereby correct flaws in the working of the establishment. More is the pity.

Ombudsmen have been successfully at work since 1809 in Sweden, which is where the job and the term for it originated. Ombudsman (with the accent on the "om") simply means representative, and although some Americans have suggested more imposing titles like "Public Protector" and "Director of Citizen Redress," I like it best in straight Swedish. Over the years the job has spread to the other Scandinavian countries, to New Zealand and to Great Britain, where the work is done by a parliamentary commission.

There are differences in the amounts of power held by ombudsmen in various places, and in Sweden this man, appointed by the parliament, can actually prosecute officials who he decides are guilty of misuse of their authority. The current ombudsman there is a 63-year-old former judge named Alfred Bexelius, and he and his staff of 10 look into about 1,200 complaints a year. The majority of these are dismissed, but the thorough, prompt investigation of many of the gripes—about police behavior, prison conditions, over-severe judges, by-the-book civil servants—has resulted in the correction of injustices and even in administrative reform.

Perhaps the most unusual case handled by Mr. Bexelius had to do with a lady who insisted, for five years, that a gravedigger had made a mistake in the heavy snow and buried her father in the wrong plot. Her many requests that the grave be dug up to decide the matter were pushed aside by church and other authorities. But when the lady finally appealed to the ombudsman and he sharply criticized these officials, shovels were hastily broken out. Sure enough the lady was right: her father had been misinterred.

Naturally there are certain drawbacks to the job. From the point of view of the ombudsman himself, it could get awfully depressing to listen to all those complaints, a lot of them unfounded, vindictive or even quite mad. Then, too, the conscientious ombudsman would have to be wary of his own great power. "It is very dangerous to lie to the ombudsman," Mr. Bexelius said in a recent reference to the strength of his office, and the danger is that a mortal might abuse it. And there are some critics who argue that the creation of the job, either on local, state or even federal levels, would merely add a superfluous layer to an overloaded hierarchy. Some legislators claim that they already fulfill the ombudsman function for their constituents, that they can look into reported injustices and see that something is done about them. But Professor Walter Gellhorn of the Columbia Law School disagrees. This country's leading ombudsman expert and author of a book called *Ombudsmen and Others,* Gellhorn points out that most complaints given busy legislators are simply passed along to the official or the agency the constituent is complaining about.

There will, of course, have to be much careful thought given to the techniques of establishing ombudsmen in the U.S. The study group in New York is considering such matters as the extent of the man's jurisdiction, the length of his term, the means of his selection. This last is a specially slippery area of discussion because a most vital requisite for the job is that its holder be completely immune to political influence. Thus an ombudsman appointed by, say, a mayor could conceivably be accused later of being timid about checking complaints that might embarrass his benefactor.

Still, I'm sure that these trifling obstacles can be overcome, particularly if we—the potential complainants—maintain the public pressure. Surely the presence of ombudsmen at various levels of government will actually encourage officials in the good performance of their jobs. I'm willing even to agree that an ombudsman doesn't really need punitive power. It will be enough for me that he can listen, investigate, recommend and then, if nothing happens, scream bloody murder in all the newspapers. And it will be so good for the average, private man to have a place he can go to with his grievances. For example, just the other day I parked my car along this street, and all of a sudden this policeman comes up and . . .

## FACE TO FACE—A CONFRONTATION BETWEEN SENATOR EDWARD KENNEDY AND SENATOR JOHN TOWER

Mr. THURMOND. Mr. President, the distinguished Senator from Texas [Mr. TOWER] and the distinguished Senator from Massachusetts [Mr. KENNEDY] have participated in a television discussion of the major issues facing our Nation today, particularly the war in Vietnam. This program was telecast in Washington, D.C., last night over channel 5, WTTG. The debate occurred last weekend and is the first part of a Metromedia television series entitled "Face to Face." It will subsequently be shown in the major cities across the Nation. I think that it will add immeasurably to a public understanding of the issues facing our country, particularly the problems arising from the conflict in Vietnam.

While I find myself more closely alined with the views of the distinguished Senator from Texas on the Vietnam issue, I believe that the entire debate between our two colleagues is of such interest and importance that the transcript should be made available to all Senators and to the public. I therefore ask unanimous consent that it be printed in the RECORD.

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

FACE TO FACE

(A confrontation between Senator EDWARD KENNEDY and Senator JOHN TOWER on WTTG, a division of Metromedia, Inc.)

Mr. EVANS. The program is called "Face to Face." It originates at Kay Center, at historic American University in Washington, D.C. Both guests have much in common; they have also much in which they do not agree. The three things they have rather uniquely in common are: both hold seats in the Senate formerly held by Presidents of the United States; each was, when elected, the youngest member of the most exclusive club in the world, the Senate. And incidentally, neither had previously held public office prior to being elected to the Senate.

Yielding now to seniority, may I introduce the distinguished Senator from Texas, Senator JOHN TOWER.

(General applause.)

Senator TOWER is a forty-one year old former economics professor; is most at home on a college campus. He labels himself as a progressive-conservative. Senator TOWER serves on two major Senate Committees; they are Armed Services and Banking and Currency, as well as a number of Senate Sub-Committees. He was reelected on the Republican ticket in 1966 by a fifty-seven percent margin from a normally Democratic state. Senator TOWER has just returned from his third tour of the Far East, including Vietnam.

Now may I introduce a man who hardly needs introduction, Senator EDWARD "TED" KENNEDY, of Massachusetts.

(General applause.)

Senator Kennedy, not much older than some of the students on this campus, is the ripe old age of thirty-five. He came to the Senate in November of 1962, after being elected to fill the unexpired term of his big brother, the late President of the United States. In 1964, he was reelected to a full term, winning by the largest plurality ever given a state-wide candidate in the state of Massachusetts. The Senator serves on Labor and Public Welfare and the Judiciary Committee, as well as several Sub-Committees. Mr. Kennedy has been particularly interested in legislation involving the draft, and immigration.

Now our two articulate advocates of the conservative and liberal political philosophies promise an hour of divergent views. I personally am looking forward to that confrontation; I hope you are. It will take place in just a moment.

Mr. EVANS. Now, briefly, gentlemen, the ground rules are very simple. I recognize that our worst enemy will be time, and that you're not exactly limited in the Senate on what you can say about certain subjects, but we have to be here. Each Senator will have a maximum of two minutes to reply to each question. After each has done so, we hope you will openly and freely discuss the problems face to face. As I mentioned earlier, half-way in the program, we will ask students here tonight to join in the questions.

I don't think there's anything more confusing to the American people right now than Vietnam and the war going on there. We'd like very much—and again, yielding to seniority, Senator Tower, if you'd handle this first—are you satisfied with the conduct of the war in Vietnam?

Senator TOWER. Let me say that I support our basic policy in Southeast Asia; I am, for the most part, satisfied with the conduct of the war. I think that it's essential that we combat Communist aggression in Southeast Asia, and I would like to read words written by the late Adlai Stevenson just before he died. "I do not think the idea of Chinese expansionism is so fanciful that the effort to check it is irrational, and if one argues that it should not be checked, I believe you set us off on the old, old route whereby expansive powers push at more and more doors, believing they will open, until, at the ultimate door, resistance is unavoidable, and major war breaks out. We don't choose war as an instrument of national policy; it is forced on us by countries that do. And the only way to stop them from initiating wars is to show them that war is too costly an instrument of national policy to employ. In other words, we seek peace, by using the military might that we possess to stop aggression, and I believe that in so doing we reduce the likelihood we'll have to fight on a broader front at a greater cost later on."

I support the President in his intensification of activity in the North, and in the ground action in the South; I approve of the liberalization of targets in the North. I believe that we should destroy all targets of military significance in the North.

Mr. EVANS. Thank you very much. Senator Kennedy?

Senator KENNEDY. Let me just say I think all of us are sympathetic to the extraordinary problems that are presented by the problem of Vietnam. I think the President deserves the active support of all of us in the Congress and the Senate. Having said this, I think we in the Senate of the United States have a particular responsibility, under the Constitution of the United States, in considering problems of foreign policy. I support our commitment in South Vietnam, as I support our commitment in Southeast Asia. I think our boys that are fighting there are doing an extraordinary job under most difficult circumstances; but that does not mean that I am completely satisfied that we have been as imaginative in seeking out an honorable and negotiated and peaceful solution to the problems in South Vietnam. I think that we ought to consider the words of great men of peace, such as Mr. U Thant, and the Pope, who have asked and requested the United States to consider a halt in the bombing of the North. I think that this is considering the men of peace as well as the great world leaders; I feel that this would be worthwhile for the United States to consider during this period of time. It could be open-ended; it does not have to be conditional. But I do feel that we would, perhaps, find an honorable settlement to the problems in South Vietnam with that consideration.

Let me just add one more point. I think the lesson of the last ten years has indicated to us that the expansion of Communism has been more related to the causes of poverty and disease, and the lack of social justice, and this has been apparently true in many of the areas throughout the world. This is the real danger of problems that are presented to the United States and the people in other parts of the world, and everything that we can do as a nation to try and rid these problems that exist in Southeast Asia, in Asia generally, as they exist in developing parts of the world, really meet the problem that we fear, of a Communist takeover. I think the problems of our policy to date have been in opposition to an ideology rather than in favor of a concept of social reform and social justice. It's in this framework that I think, therefore, that we might have had—we could have been more imaginative in trying to seek a negotiated solution in Vietnam.

Mr. EVANS. All right, gentlemen; obviously, there's a difference of opinion. We hope that you'll treat it as such.

Senator TOWER. We have tried several times to achieve a peaceful solution; we have—I think the President has made genuine efforts in that direction. We have moratoriums on bombing; they've been to no avail. As a matter of fact, these truce periods are utilized by the enemy to mount major resupply efforts that enable him to fight on longer. Now, we must remember that it's the Communists that initiated the war; that the Communists quite candidly say that they will foment wars, so-called wars of national liberation, so they start wars to accomplish an objective, and they feel that as long as there is some chance of military success, they should continue fighting. What we must do is convince them that there is no chance of military success. Now, I would certainly agree that along with military success, other things must come, but we are doing other things in South Vietnam today. As we militarily secure territory, we organize and initiate and implement pacification programs, aimed at developing local leadership; aimed at social and economic progress. We initiate self-help programs, and as these programs bear fruit, we create in the process an area that is hostile to Communist guerilla activity. I think the fact that Korea now is becoming prosperous; Taiwan no longer accepts economic aid from the United States and, indeed, sends technical and economic assistance to Africa now; Thailand has a growing economic situation. I think one of the most effective buffers against Communist expansion would be the establishment of nations, capitalistically oriented, if we want to use that dirty word, or oriented toward the West or toward the free system of economy, where the people are enjoying genuine and measurable social and economic progress. This is occurring in most of the countries that are in the free world around the Chinese periphery now. Therefore, I think these efforts should be continued.

Senator KENNEDY. First of all, let me say that I don't feel that comparing the recent truce period, the Tet period, and the cessation of the bombing for thirty-seven days last year ago,—last year, is equivalent, really to the prospects of halting of the bombing at the present time; because we have had a change in the military situation, we've also had a change in the political situation. Now, for example, both the—Mr. Kosygin, in the Soviet Union is supplying the great bulk of arms and support to the North Vietnamese, has indicated that this is the principal stumbling block to reach a negotiated solution to the problems of Vietnam; Mr. Podgorny, of the Soviet Union, has indicated likewise. I think that during the Tet period, for example, it was never declared that we would not start the bombing once again at the end of the Tet period; in effect, this was tantamount, really, I consider, to an effective blackmail. There's no question that there was a support, a building of supplies in the South to support the Viet-Cong during the Tet period, just as we increased our own supplies in the south, and it was helpful for us in distributing our own supplies to the armed forces in the South.

Let me just say that I think it is—when we consider the problems in South Vietnam, we have to realize that the Viet Cong make up eighty percent—that the South Vietnamese make up eighty percent of the Viet Cong. This is, to a great extent, although they're getting supplies from the North, and they're getting certain very active support and direction from the North—nonetheless, I think that this whole concept is imbedded in the people of the South. In spite of the extraordinary manpower we have, there's no question that the total number of Viet Cong that have been recruited in the last year have increased, and that there is today—that the total area, geographical area, that is completely supported by the Viet Cong in the last year has expanded somewhat. So I am—I say that the nature of the problem is such that we cannot look at it in traditional terms. What we have to do is to try to be as imaginative in the political sense as we have been in the military sense. I think that we have to resort to extraordinary kinds of actions, and diplomacy, in the world community, to try to seek a justified, honorable solution to the war in the South.

Mr. EVANS. Senator, how much time would you give them?

Senator KENNEDY. I think it has to be a substantial period. I would say that it be—that's an open-ended cessation; I would say at that time, then, we would consider whether the supplies that are coming into the South have increased. The—as Secretary McNamara said, there's a real question whether the bombing in the South, interdicting the supplies in the South, is having any real effect. In any event, it seems to me that the contrast, the position where we are this year, with where we were a year ago, would indicate that there would be very little lost, really, in seeing a—now, a cease-fire. Let me say, there would be something lost if we consider the military sense; there can be accurate estimates made, and there have been by General Westmoreland and others, that if we have, now, a cessation, that there will be some increased loss of American lives. I acknowledge that, but it just seems to me that what we're considering on the one hand is what can be realized in the political sense. This would be a political maneuver to try and reach a negotiated solution, and hopefully, if we did, then the total number of Americans that would be lost would be considerably reduced. For example, this last week, we see with the losses of American lives, a thirty-three percent increase in the loss of American lives over a year ago, and we've been increasing our bombing—

Mr. EVANS. I think it's about time for Senator Tower to get into this.

Senator TOWER. Well, General Westmoreland says a bombing pause will cost many

additional lives and prolong the conflict. And he said that the most important reason for the bombing campaign is that it saves American and Vietnamese lives. Now, I think that the bombing—I'm confident, and I've seen the photo-reconnaissance on it, the bombing has had a substantial effect on their ability to logistically support a war in the South. Now, they are still pouring men and supplies into the South, but this makes it much, much more difficult for them to do so, and without the bombing they probably couldn't do it as well—they probably could do it much better.

Now, there's this point too, and that is that the Viet Cong infra-structure in the South was established by Ho Chi Minh, and actively supported by him. They initiated hostilities through acts of assassination and terrorism, that ultimately went to main-force engagements, fought not only by Viet Cong main force, but by North Vietnamese main force elements, from North Vietnam. It was at that point that we made the decision to intrude troops into South Vietnam. Now I believe that none of the peace overtures, none of the moratoriums, nothing, has reduced the determination of the Communists to continue to fight until they accomplish their objective, which would be the——

Mr. EVANS. I'd like very much for you to consider the possibility—if they do not call for the cessation, should we, would we be more honorable by declaring war? I'd like you to discuss that after this message.

Face to Face is originating on the campus of American University in Washington, D.C. The members of the panel who are discussing the vital issues of the day are Senators John Tower of Texas, and Senator Edward Kennedy of Massachusetts.

I proposed, Senator, that if there was no cessation, as you seemed to indicate you'd like, do you think it would be more honorable for the United States of America to declare war?

Senator KENNEDY. No, I do not. I don't feel that our objective in Vietnam is the obliteration or destruction of Vietnam; it's a very limited objective. There's no one that doubts we couldn't use atomic weapons this evening and see the complete destruction of North Vietnam. Obviously, what this would mean would be the intrusion of China and the Soviet Union and we'd be involved in World War III. Those that suggest that we continue to escalate the bombing, I think, have to consider that.

Secondly, let me just say that by having a cessation, an open-ended cessation of the bombing, which means that at any given time that we could begin the bombing again if we felt that it was essential in importance, I do think that we're going to the world community and demonstrating to the world community once again our extraordinary interest in seeking a peaceful solution to the problems of Vietnam. And I think that this is of significance and importance. I think there is an underlying—I think there's——

Mr. EVANS. Rather than line up too many points, I wish we could handle one at a time and maybe interchange more, more frequently. Go ahead, Senator.

Senator TOWER. Well, I don't think it's necessary to declare war and I don't think we should, because a declaration of war doesn't influence really the military activity in any way, and too, I don't think a declaration of war would have any significance relative to arriving at an agreement to negotiate a settlement. There are very cogent reasons why we should not have a declaration of war; it would create some embarrassing political problems for some of our friends who are in some way involved with us; beyond that, it would put the United States in the position of being in a declared war against an Asian country, which we want to avoid.

Mr. EVANS. May we move on, then, if you agree on that point?

Senator KENNEDY. Let me just say—if I could—I think that one of the extraordinary lessons that's becoming more and more apparent in the Vietnam situation is that you cannot bomb people to the negotiating table. I think that this——

(General applause.)

I think this was demonstrated quite clearly in the Second World War; after the extraordinary raids on Hamburg and Frankfort, where there were extraordinary civilian casualties, the resistance among the people was at its highest, really, of any time during the war.

And finally, let me just say that I think we have to consider the extraordinary human cost to the people in South Vietnam as well as the people in North Vietnam, the extraordinary cost to the civilian population, in the loss of life, and the permanent damage, really, to so many of them. I think this has to begin to weigh on any kind of policy considerations, and although our primary—and our primary obligation, we must get back to the fact, is the people of South Vietnam. What we're interested in is very limited objectives, and that is that these people will have an opportunity to decide their own future and their own destiny; I'm committed to that. The real point is how that can be achieved, and I think that, given the set of circumstances that we're presented with today, it isn't unreasonable to think that we ought to try some imaginative and some new concepts, and that is the open-ended cessation of the bombing of the North.

Senator TOWER. I think that it should be apparent by now that actually the Communists have adopted war as an instrument of policy. You have got, then, to destroy their ability to wage war before they're going to stop waging war. Right now they're engaged in terrorist activity in Thailand; they have very callously and candidly said that Thailand is the next target. So, if we should unilaterally withdraw, which is the only alternative to full participation, getting the job done, other than fighting there day after day, year after year a war of attrition that's going to cost more human lives, then we're going to destroy the desire of these other Asian countries to resist Communist expansion. I'm confident that if we had not gone into Vietnam in the force that we did, that the South Vietnamese would have collapsed, Laos would be totally under their control, the Thais would be seeking an accommodation; we'd never had had the takeover of the junta in Indonesia, and I think Southeast Asia would be in very bad condition, indeed. The reason we fight this war now, on this small front, is to reduce the likelihood we'll have to fight on a broader front later on, at a much greater cost in human life; so by expending some human life now, and I think war is terrible, we reduce the likelihood we have to fight later. As Adlai Stevenson said, ultimately we'll find that resistance is unavoidable, and a major war will break out, if we do not pursue this course.

Mr. EVANS. Now, Senator Kennedy, I believe you had something?

Senator KENNEDY. No one has suggested here this afternoon a unilateral withdrawal, and this is always sort of a common, I feel, and in many instances an unjustified appraisal of what some of those members in the Congress and the Senate have suggested when we're talking about the possibility of using additional imagination in trying to achieve a negotiated settlement. I'm fully committed to the fact that we are there and that we have to remain in South Vietnam, and that we have our obligations and we have to carry them through. The question that is presented to us today and tonight, is how to reach the negotiating table. Whether we're going to continue on the course of action which we're following, whether that is going to bring us to the negotiating table, an increase in the escalation of our bombing against a country which is ninety-five percent agricultural, a nation that held out against the French for some six years, when they were living in the rice paddies and out in the jungles. Are we going to be able to bring them to the table by turning the tourniquet? I seriously question whether that policy is going to be effective.

Mr. EVANS. I wonder if we might move on to another point?

Senator TOWER. We won't need to bring them to the table if by our military actions we can reduce their ability to wage war against South Vietnam, we can militarily secure South Vietnam, and assure that it will not fall under Communist domination. Then we don't care whether they come to the conference table or not.

Senator KENNEDY. Well, now the question of whether we can militarily secure South Vietnam, I think, is perhaps the basic disagreement that has been propounded between Senator Tower and myself this evening, because when we feel that we have four hundred thousand men, today, that are located in South Vietnam; figure that we're dropping sixty thousand tons of TNT, the equivalent of seven tons of TNT per infiltrator down from the North into the South, and we're still not able to stop both the infiltration and the four hundred thousand American soldiers in the South have not been able to effectively pacify the South, then I think the question of whether we're going to be able to militarily secure it in the sense of providing almost the equivalent of occupation is something which I think is—I would question, and I would question as well whether that really is the purpose. I think it gets back, once again, to what brought us there? What brought us there is the fact that we believed, under the commitments that we had, that the people of the South ought to have the right and the opportunity to determine their own future. It wasn't that we're going to destroy this country, or occupy it; that was not. And therefore what I—I do applaud is the efforts that President Johnson has made in trying to be reasonable and not trying to escalate this war into an endless spiral, which I think could perhaps lead into a third World War.

Mr. EVANS. May I ask one quick question before we get to the midway point. Senator Kennedy, do you feel that the eagerness on the part of you and other members of the Senate who feel as you do has a tendency to be interpreted as a sign of weakness on our part?

Senator KENNEDY. I would certainly not hope so. I think that we in the Congress, under the Constitution, have a particular responsibility in this. There should be no question in the minds of the North Vietnamese, or the South Vietnamese; the Viet Cong, who are fighting, who are bearing the principal brunt of the war, who are facing American soldiers day after day, and which efforts I support completely, about the determination of the United States, and those efforts I support completely and wholeheartedly. So it would be—obviously, it would be a mistaken assumption on their part to assume anything which would take away from the general support for these efforts.

Senator TOWER. It may be a mistaken assumption, but I'm afraid that it is. I think that there is some feeling in Hanoi that the United States is ready to seek some sort of face-saving device and get out. Now, this is what they would like us to do, of course——

Mr. EVANS. Is it true?

Senator TOWER. I hope not. I certainly hope that the United States is not going to do that, because I think that we have got to follow the basic objectives laid down by the President when he said we must guarantee the independence of South Vietnam; we cannot abandon Southeast Asia to Communist conquest. The fact of the matter is, I believe that we do feel we are deeply divided here in the United States, that we're wearying of the war, that we want to get out, and this encourages them to keep fighting. Now, maybe you can't bomb them into

coming to the conference table, but if you reduce their ability to wage war, it doesn't make any difference whether they come to the conference table or not, because you've accomplished your objective. We don't want North Vietnam; we have no designs on their territory, and I would be opposed to invasion of North Vietnam. But I think we've got to destroy their ability to logistically supply the war in the South. Now, the Viet Cong are having some very serious problems now, and I think one position that's been expressed fails to take into account the great progress that we've made over a period of eighteen months. We are beginning to destroy the Viet Cong infra-structure. We are beginning to interdict his lines of communication to the extent that he's hurting, and now we see Viet Cong main force units now being resupplied by replacements who are from the North Vietnamese Army; they're having a serious job of recruiting, and our Chu Hoi program, which is a program by which we allow people to defect, come over to our side, we had twice as many of those last year than we did the year before, and at the present rate we'll have twice as many this year as we did last year, so this is an indication the people are looking over and saying "We want to come live with you, because you're offering something better."

Mr. EVANS. I expressed the warning that our greatest enemy would be time, and we've reached the mid-way point. It's time to hear from American University students who will cross-examine the distinguished public servants who are here before us, and they will come with Senator Tower and Senator Kennedy Face to Face in just one moment.

From the very beautiful Key Auditorium at historic American University in Washington, D.C., we're bringing you Face to Face. We now have the opportunity of hearing from the students who would like to face Senators Tower and Kennedy. And we have a volunteer right here. Would you state your name, your state and to whom you direct your question?

STUDENT. Pamela Articher, the State of Maryland and my question is directed to Senator Kennedy.

Prof. Abdul Said of this University indicated on his return to North Africa last week that our AID and USIA services are inadequate and not particularly responsive. The African emotion study of the American Academy of Political Science seems to support this. In view of your recent trip to North Africa, would you care to comment?

Senator KENNEDY. Well, let me say that during the past fall I had an opportunity to travel through North Africa and then out to the Middle East. I visited Morocco and Algeria and Tunisia. There are some very disturbing signs that are taking place generally in that part of the world. There is an extraordinary arms build-up taking place, particularly with the build-up of Soviet arms in Algeria. There's been a corresponding assistance of the United States to Morocco.

Obviously this is taking away from the effective economic development of the countries in North Africa. To the extent that we can exercise our own policy so that this arms build-up can be halted, obviously this would be advantageous. We have not been effective in doing so today. There have been some things which have been proposed for North Africa which I do feel have been encouraging. One would be an American University in Tangiers which would do for North Africa what the American University of Beirut has really done for the Middle East. This, I think, deserves a very whole-hearted support of the United States. It's in its very early stages at the present time, but I think it would be something that should be considered.

I would—we, in the past eight or nine days, although it was not publicized, extended our wheat to Algeria. Algeria, as you know has been following a rather independent course in North Africa generally, and has—but has only recently gone through a coup period and now is trying to find—attempt to find itself, and I personally believe that the Administration deserved a great deal of credit for extending that kind of wheat to Algeria.

Mr. EVANS. Your time is up, Senator. Is there anything you'd like to add to that, Senator Tower?

Senator TOWER. Well, on the matter of aid to Africa, I think that in addition to whatever we put in in the way of economic and technical assistance, that we should be encouraging the governments of these African countries to create a climate that's as favorable as possible to the investment of private capital which could contribute a great deal to the economic development of these African countries.

Mr. EVANS. Do we have another question? Right in the front row here, please.

STUDENT. Edward Wilbur of New York. Senator Tower, being from Texas and being a former economics professor, do you feel that the oil depletion allowances conflicts with the idea of a graduated income tax?

Senator TOWER. Well, to begin with, let me say that I am not an economist really, I'm a political scientist. I did attend the London School of Economics and Political Science, but I was in the political science side, and I came away with some rather difference ideas than a lot of people that have come from that school.

(General laughter.)

I think the twenty-seven and a half percent depletion allowance is a necessary thing because the investment of capital in the exploration of oil is a very, very hazardous business indeed. And I can show you far more people in Texas that have gone broke in the oil business than have gotten rich at it. And because it is vital to the—not only to the economy of the country, but to the nation's security, for us to find new sources of oil we need to have every incentive that we can to have men go out and explore for oil.

We are now using up our reserves at a faster rate than we are finding new sources of oil. And so I think we ought to keep all of the incentives that we can, including the twenty-seven and a half percent depletion allowance.

Mr. EVANS. Senator Kennedy?

Senator KENNEDY. I would take issue with the Senator Tower. I think—I wonder what is the justification for Gulf or Humble having twenty-seven and a half percent. Any of the research they do they can charge it off in expenses.

The position that I would take would be the position which was advocated in the Senate by Senator Proxmire, and that is that you'd have a sliding scale. You might give a small, independent wildcatter the twenty-seven and a half percent if his total revenues maybe be a million and a half or two million dollars. And then you'd put a sliding scale up to, might be twenty or twenty-five million dollars reaching maybe thirteen and a half percent, which I think would give the initiative to the small independent which obviously the—I know my colleague, my fellow Republican colleague is interested in the small businessman and the wildcatter—these fellows ought to get the twenty-seven and a half percent. But it seems to me, wondering, why we ought to give the twenty-seven and a half percent to these major companies and corporations. I think I couldn't disagree with him more on this issue, but——

(Applause.)

Senator TOWER. Well, we Texans fully understand the foot in the door technique. Beginning an assault on the depletion allowance by taking it away from some and granting it to others would be to allow the camel to get his head under the tent-flap. Eventually the whole camel comes into the tent——

Senator KENNEDY. But this is——

Senator TOWER. And I think it would ultimately destroy the depletion allowance which is actually vital and shouldn't be tampered with at this time when we are using up our reserves. One must remember that when a man sells oil, he's actually selling his capital. It is a depletable resource.

Mr. EVANS. I wonder if we—I'm a little discouraged that the American University, with all these draftable men haven't gotten into that area, and we would entertain a question on the draft at this point. This gentleman here.

STUDENT. My name is John Garvin and I come from Massachusetts. Mr. Kennedy, could you give your views on alternatives to being drafted in the military service, such as assignments to the Peace Corps and other related organizations?

Senator KENNEDY. Well, the—I would say that the—I would distinguish between voluntary service in the areas which you've pointed out in the Peace Corps and the Teacher Corps or Vista Service which is very admirable and I think that—but I would distinguish that really from our draft system. I think most of the people in the Peace Corps, for example, Mr. Shriver and others who have worked in there and also in Vista and Teacher Corps, feel very strongly that this is a voluntary organization, and one of the reasons that it's been able to attract the highest kinds of idealistic young people is that it's a voluntary service and people who are committed to the ideals and what they really can contribute to human progress and human resources and human betterment around the world.

And they do not see this as an alternative to the service in the Armed Forces of our country. So I would distinguish between these two. I think, the one hand you have a—the draft system, and for people that are not selected their opportunity should be, if they feel, they're motivated that way, should have an opportunity to go in to the voluntary services.

Mr. EVANS. Senator Tower?

Senator TOWER. I reject the idea that we should establish a program of compulsory national service that would take many forms other than military.

(Applause.)

I think that we must stick to the established tradition, that the only time a man is obligated to work for the government is when his nation's security is threatened, and it must be defended. And I don't think he's obligated to work for the Peace Corps or for any other agency, regardless of how much good this agency may be doing. I would say that this might of course too seriously affect the efforts of many of our private, charitable and church organizations to recruit young people to do these jobs.

Mr. EVANS. Any other questions? I have a gentleman here in the second row, please.

STUDENT. My name is Benton Abramson from Mount Pleasant, Pennsylvania. I'd like to direct this question to Senator Kennedy. Sir, as an advocate and supporter of the United Nations, could you suggest any means through which the UN could be utilized to bring the Vietnamese conflict to an end?

Senator KENNEDY. I think that there's machinery could be established, hopefully if there was some kind of indication of support by both the United States and I would feel the South Vietnamese, the Viet Cong, the North Vietnamese; special machinery I think could easily be established similar to the kind of machinery that was established during the Cuban missile crisis. I mean it could be ad hoc machinery to meet a particular need. And I think—I don't think this would be a great problem. We have some existing machinery in the International Control Commission, and there's always been a question whether we could not breathe new life into the International Con-

trol Commission so that they could perform their function more effectively in cutting off the borders in Laos and Cambodia and stop the infiltration.

I would support all those efforts and I think that Sihanouk of Cambodia, for example, a year ago indicated that he would abide by the findings of the International Control Commission, and I think it was unfortunate that we were so late in responding to those indications in trying to give them some additional support and help.

Mr. EVANS. Senator Tower?

Senator TOWER. The reports of the International Control Commission indicate that it was North Vietnam who actually breached the peace and started this whole business in the first place. I don't think you could have any effective United Nations action there without the acquiescence of mainland China and Hanoi, and I don't think that's going to be forthcoming. So I think we're living, as Senator Javits says, in a dreamland if we think the United Nations can be an effective instrument for the resolution of our problems in Southeast Asia.

Again, remember that they are the ones who have the policy of starting the so-called war of national liberation, and if they're not beat in this one they're going to start another one, probably in Thailand.

Senator KENNEDY. Let me just add, the ICC has also found that the United States has violated the International Control Commission as well, so we don't come off with complete clean hands.

But let me—one final point is, I think we could better utilize UN agencies which are already functioning in Vietnam in a whole host of human resources. You have World Health that's functioning there, you have UNESCO and UNICEF, and there's no reason why the United States cannot provide funds in trust to a UN agency and then have the UN agency draw on these funds and provide better services to the human, the civilian part of the population. I think we've been slow in moving in this area; they've overcome the political problem because they're already present, and there's no reason in the world that the South Vietnamese government requested this kind of help and *assistance if they'd* find it. I've talked to U Thant about it and he agrees with that, and I think it's regrettable that we haven't had a greater response by the South Vietnamese government. This would bring in additional UN presence which I think would be helpful.

Mr. EVANS. Sorry to interrupt, but we will have some more questions from the floor in just a moment. Let's pause for this message.

Mr. EVANS. It's Face to Face with Senator John Tower of Texas and Senator Edward Kennedy of Massachusetts. They are facing the students of American University. A young lady here in the second row has a question.

STUDENT. Ann Ansery from Texas. Senator Tower, would you care to make a comment on who you think will be the next Republican nominee for the Presidency?

Senator TOWER. I think at this point, it's that nobody is in the lead for the Republican nomination. There are a number of contenders that have been mentioned, there are a number who are apparently interested in the nomination——

(General laughter.)

But at this point in time you can't say that there is a leading contender. And there seems to be a disposition on the party leaders in most states to stay uncommitted for a time, maybe right on up 'til convention time to avoid their states being battle grounds between contending candidates to the extent that we have abrasive, fratricidal party strife that results in trouble at election time, so——

Mr. EVANS. We might ask Senator Kennedy if he thinks there's a leading candidate for the Democratic party.

(Applause.)

Senator KENNEDY. We don't have those problems in our party.

(General laughter.)

Senator TOWER. I would say at this point that it looks very much like nobody will go to the convention with a majority of the delegates. The decision might be actually made at the convention.

Mr. EVANS. Do you care to comment on that, Senator Kennedy? Do you have a favorite of your own? In the Republican ranks?

(General laughter.)

Senator KENNEDY. I do.

Mr. EVANS. The gentleman here on the far side?

STUDENT. I'm Ron Shandrow from Pennsylvania. I wanted to know—I guess this is directed to both Senators—what the Congressional reaction has been to the NSA–CIA situation, and has there been—I'm sure there's been a lot of discussion. Would you clarify some of it?

Mr. EVANS. Would you designate which Senator you wanted to ask?

STUDENT. I believe the question can be answered by both Senators.

Mr. EVANS. All right. Senator Kennedy?

Senator KENNEDY. Let me just say that I was going to college during the period where most of this activity took place, and I knew many of the young people who were active in the student organization, and they were not dupes or agents of the CIA. They went to many of these international festivals because they felt strongly about what was happening in Hungary and in the world community.

So I think it's important that we put this in some kind of perspective. I think obviously it's unfortunate that the Congress was not responsive enough in providing the kinds of tickets and wherewithal so these young people could go and participate and represent the United States. It's ironic because so many of them came back to the United States, were criticized from right wing organizations as being the dupes of the left, and I thought that this was—one of the interesting things which has been suggested, I think, is the establishment of an independent agency or body which would be made up of outstanding American citizens in which there could perhaps be some direct contributions and this organization would be able to take certain Federal funds, private funds as well, and be able to support many of the same kinds of functions, it would be overt, not covert. And I think it would be worth while. It has been suggested and I think the Congress should consider it.

Mr. EVANS. Senator Tower?

Senator TOWER. I think that it's pretty apparent that the CIA didn't really have much influence over the policy positions of the NSA.

(General laughter.)

But the idea here was that we're at a disadvantage because the Soviet so-called students are actually being financed by their government, they're carefully coached and trained in what to say, they're carefully coached and trained in how to take over organizations of this type, and we had to have some way to cope with that. Therefore, I think we should make no apology for this activity because it's done by every other major government. Certainly it's done by the Communists. And we can't—because we like the idea of an open society, we've still got to have some sort of clandestine agency that performs a job that other major countries perform and we have to do to.

(Applause.)

Mr. EVANS. The sponsor demands equal time and we'll pause for that.

* * * * *

Mr. EVANS. The students of American University, in Washington, D.C., are meeting Face to Face with Senators John Tower of Texas, and Senator Edward Kennedy of Massachusetts; the young lady over here has a question.

STUDENT. Jeannie Thomas, from Louisville, Kentucky, and I'd like to ask Senator Tower what his stand on the total civil rights legislation is, the one now before Congress.

Senator TOWER. I believe the question is what is my stand on the proposed civil rights legislation? Well, my stand general if—I assume that you're referring probably to the so-called "open occupancy provision" which is the most controversial of the various civil rights provisions that have been offered, and no doubt will continue to be offered.

I have opposed this on the grounds that it is, in my estimation, an unconstitutional intrusion on the right to own and dispose of private property, which I consider to be a basic human right in this country. I might note that that is a view that's held by some people who have been in the forefront of the leadership in civil rights legislation, such as Senator Dirksen. That one I would oppose. Now, I have supported a number of civil rights provisions that I concede to be constitutional. As a matter of fact, I offered as a substitute to the Voter Rights bill a bill that would have been far more comprehensive, and would have included Texas; the present one does not. So where it can be done within the framework of what I consider to be the Constitution, I'll support it.

Mr. EVANS. Senator Kennedy?

Senator KENNEDY. The President has sent a message up that—in these following areas; one, that—about the desegregation of Federal juries systems. I think that ought to be supported; also, desegregating the state jury system. I think that I would certainly support that. The third phase would be in the open housing; I think that I would certainly support that. I think what we've seen in the public accommodations, education, transportation, applies just as well to the questions of open housing, and I support those provisions. Also, the protection of Federal rights to workers who are involved in civil rights disputes; I think that's an important protection, and I would support that as well.

Mr. EVANS. You don't consider it a constitutional problem? I think that was the discussion that Senator Tower brought up.

Senator KENNEDY. No; I do not. I think that the—Attorney General Katzenbach, when he appeared before the Judiciary Committee, made an extremely important and decisive argument on that question, and resolved completely the constitutional question that was raised.

Mr. EVANS. We have time for one more question. May we have it from right here, please? The gentleman on the aisle.

STUDENT. I'm from Massachusetts; my question is directed to Senator Tower. In view of the necessity which was stated of us counter-acting the clandestine activities of other powers, would you be in favor now of a permanent Senate or even House Committee to watchdog the CIA?

Senator TOWER. We currently have an oversight committee for the CIA in the Senate. It is a part of the Armed Services Committee, and I think it's adequate. We've got to—you cannot bare to public scrutiny to any great extent the activities of the CIA. If you do, you're going to destroy its effectiveness, and we're going to be confronted by a very effective system of espionage operated by the Soviet Union, with us having a somewhat less effective, toothless type of operation.

Mr. EVANS. We have thirty seconds for you to give a comment on that, Senator Kennedy, if you care to.

Senator KENNEDY. I think the CIA ought to report to the Foreign Relations Committee; this is a matter that came up in the last session of Congress; when the CIA is functioning and operating in countries throughout the whole world, there's no reason in the world why the Foreign Relations Committee should not, like the Armed Services Committee and the Appropriations Commit-

tee, have an understanding of what is going on. Regretably it was lost——

(General applause.)

Senator TOWER. I might point out that the ranking members of the Foreign Relations Committee are always invited to the Sub-Committee sessions when they are held, so they have—they can be fully apprised as to what's going on.

Mr. EVANS. Thank you, gentlemen. Our host on Face to Face——

(General applause.)

Has been the distinguished President of this University, and I very much welcome the opportunity to introduce Doctor Hurst Anderson, of American University.

(General applause.)

Doctor ANDERSON. Mark Evans, this university is happy to be the host today to this first program in this new series of yours; we wish you well in the entire enterprise. I am delighted, personally, that we have these two distinguished gentlemen on the platform here; they've been on this campus before, but not in this capacity. We've always welcomed them; we welcome them at any time. They're neighbors of ours; we're happy to have them here, both of them.

Now, may I add one thing? This kind of enterprise, Mr. Evans, ought to tell a story. To the American people, a large percentage of students on our college campuses across this country are interested in serious public discussion.

Congratulations.

Mr. EVANS. Thank you very much.

(General applause.)

Mr. EVANS. Ladies and gentlemen, our nation is affluent; we can afford many luxuries. To many of us, luxuries are commonplace. The one luxury we cannot afford in this land is the luxury of lethargy. If this program has one purpose, it is to resist such lethargy, for the greatest enemy of lethargy is thought, and we sincerely hope that we have achieved part of our goal by charging you to think. If so, we are happily giving credit to Senators Tower and Kennedy, as they have met you, Face To Face.

Thank you.

(General applause.)

## POVERTY IN THE CITIES

Mr. PELL. Mr. President, President Johnson's message on America's unfinished business in its coverage of poverty in our cities was as perceptive as it was timely, and I heartily agree that as a Nation we must focus our resources in a more concentrated fashion if we are to effectively cope with the many problems now plaguing our cities and the people who live there.

One major element in the President's message stressed the need to provide jobs and job training for the people who live in our inner core cities. As countless studies have shown, joblessness in our cities has reached a level which threatens the lives of millions of men, women, and their families. Providing training and jobs is, once the training is completed, a vital tool in any effort we can make to help the disadvantaged and to gain ground in our overall struggle against poverty.

It is true that we have used tax mechanisms to encourage economic growth and create jobs. We have also encouraged programs at many levels of government and private industry to bring more people to full economic participation. Yet, we have not succeeded in our inner cities. Our healthy economic growth has often failed to touch the lives of the economically deprived, those who most need to be touched.

Further, we know that the unemployment rates in our city slums are three times larger than our national unemployment rate. Equally important is the fact that the published rates only reflect the number of people who are actually out looking for work. Overlooked are the people who have struggled to find work, but who for many reasons were unsuccessful and have given up. Also overlooked in our statistics are the people who can only find part-time work, but who need full-time work if they are to feed their families and provide them the necessities of life.

Therefore, Mr. President, President Johnson's call to provide more jobs in our cities which are so hard hit by unemployment, is a call to action. I hope that the Senate and the Nation will heartily support and actively participate in this effort.

## DISABLED AMERICAN VETERANS ENDORSE GRUENING BILL TO CHANGE BEGINNING DATE FOR VETERANS BENEFITS FOR VETERANS SERVING IN VIETNAM

Mr. GRUENING. Mr. President, I am particularly gratified to receive the endorsement of the Disabled American Veterans of S. 1057, which I introduced on behalf of myself and Mr. BARTLETT, Mr. CHURCH, Mr. CLARK, Mr. MCGOVERN, Mr. MONTOYA, Mr. MORSE, Mr. NELSON, and Mr. YARBOROUGH. This bill would give to veterans who served in Vietnam prior to August 5, 1964, the same veterans benefits which would be provided to those serving after that date.

Mr. Charles L. Huber, national director of legislation for the Disabled American Veterans, testifying before the Subcommittee on Compensation and Pension of the House Veterans' Affairs Committee on March 3, 1967, stated in part:

> The troops who served before August 5, 1964 gave of themselves in the same extraordinary military effort and sacrifice, showed the same skill, firmness and courage as that displayed by the troops who served on or after that date. We rather imagine that the men who fought in Vietnam prior to 1964 will be disheartened to learn that they are not considered war veterans, that they do not qualify for a pension because they had the misfortune to be honorably separated from service prior to August 5, 1964.
>
> It would be equally difficult, we think, to explain to a Vietnam combat veteran who lost a leg or was blinded in battle August 3, 1964 that he does not have entitlement to an automobile, while his comrade who sustained the same loss, under the same conditions two days later, has unquestionable entitlement.

I agree fully with this analysis by Mr. Huber, of the situation, and said as much when I introduced S. 1057.

I ask unanimous consent that Mr. Huber's letter to me dated March 14, 1967, and the full text of Mr. Huber's testimony before the House Subcommittee on Compensation and Pension be printed in full in the RECORD at the conclusion of my remarks.

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

DISABLED AMERICAN VETERANS,
NATIONAL SERVICE HEADQUARTERS,
*Washington, D.C., March 14, 1967.*

Hon. ERNEST GRUENING,
*U.S. Senate,*
*New Senate Office Building,*
*Washington, D.C.*

DEAR SENATOR GRUENING: This is in reference to your statement in the February 23, 1967 Congressional Record, concerning the beginning date for eligibility to veterans readjustment assistance for veterans serving in Vietnam.

We could not agree more with your statement. Enclosed herewith is a copy of our testimony on the subject before the House Veterans' Affairs Committee dated March 3, 1967. It certainly supports your position and S. 1057.

We compliment you on your thoughtfulness and understanding of the problems for the men who are serving the cause of freedom in Vietnam.

Sincerely,

CHARLES L. HUBER,
*National Director of Legislation.*

STATEMENT OF CHARLES L. HUBER, NATIONAL DIRECTOR OF LEGISLATION, DISABLED AMERICAN VETERANS, BEFORE THE SUBCOMMITTEE ON COMPENSATION AND PENSION, HOUSE VETERANS' AFFAIRS COMMITTEE, MARCH 3, 1967

Mr. Chairman and members of the committee: I appreciate very much the opportunity to appear before you to discuss pending legislation on the subjects of disability and death pension and wartime benefits for veterans of the Vietnam Conflict.

As you know, Mr. Chairman, our National Commander, John W. Unger, Sr., appeared before the full Committee on Veterans' Affairs March 1st, and outlined the Legislative Program of the Disabled American Veterans for the first Session of the 90th Congress.

Some of the matters which I shall discuss here this morning have already been covered to some extent in the Commander's presentation. If we appear to be repeating ourselves we hope you will bear with us, Mr. Chairman. We think some of the points are important and need repeating for the Hearing Record of your Subcommittee on Compensation and Pension.

There are a substantial number of legislative proposals before the Committee to extend to veterans who served in the so-called "Vietnam Era" a range of benefits similar to that provided for World War II and Korean Conflict veterans. In most cases the eligible service period would start with the date August 5, 1964. There are a few bills pending, however, which would start the eligible period with January 31, 1955, and extend the same benefits as those proposed in the "Vietnam Era" bills.

The "Vietnam Era", for purposes of a large majority of the bills, is defined as the period beginning August 5, 1964, and ending on such date as shall thereafter be determined by Presidential Proclamation or Concurrent resolution of the Congress.

Apparently, this date is selected on the theory that it marked a change in military operations in Vietnam following the Bay of Tonkin incident.

Generally, the legislation would provide dependency allowance and disability compensation at wartime rates; non-service connected disability and death pension benefits; $250 allowance for burial expenses; $1600 toward purchase of an automobile; presumption of service connection for psychoses developing within two years following discharge from service, for purposes of medical and hospital treatment; and the extension of drugs and medicines to veterans receiving increased pension based on the need for regular aid and attendance.

Before discussing our views with respect to these proposals, we think it appropriate

to emphasize that the DAV was founded on the principle that our Nation's first duty to veterans is the rehabilitation of its wartime disabled. This principle comprehends:

Adequate compensation for the service connected wartime disabled, and for the widows, children, and dependent parents of those who died from service connected causes; proper medical care and treatment of veterans for disabilities incurred in or aggravated by military service; training and/or education for the wartime disabled to restore employability and gainful employment.

The DAV is in accord with the basic proposals of the "Vietnam Era" bills for we feel they are well-grounded and are needed. We also feel, however, that the measures are deficient in certain significant areas.

We firmly believe that the conditions under which our men have served in the Armed Forces since January 31, 1955 fully justify their entitlement to the full scope of wartime readjustment benefits.

No young man entering the service since that date has had assurance that his time would be spent in peaceful state-side duty. Under the circumstances prevailing since 1955, there was ever present a strong certainty that he would eventually be subjected to the risk and peril of combat duty in some far off country threatened by Communist expansion.

Our country's obligation to this serviceman, we feel, is no less than the obligation owed to his counterpart of World War II and the Korean Conflict. The Federal Government must provide for all of them in whatever variety and quantity may be required. This objective was fulfilled to a large degree when on March 3, 1966 President Johnson signed into law "The Cold War Veterans Rehabilitation Assistance Act."

This statute, fully endorsed by the DAV, provides, as you know, a permanent program of educational assistance; guaranteed and direct home loan benefits; non-service connected hospital and medical care; preference in Federal employment; burial flags; job counseling and placement assistance; and the presumption of service connection for chronic and tropical diseases.

The benefits described above had in the past been reserved for veterans honorably discharged from a period of active *wartime service.* With the passage of the March 3, 1966 Act, these benefits were extended to eligible veterans who saw service after January 31, 1955.

In selecting the January 31, 1955 beginning date for readjustment benefits, recognition was given to the fact that the stepped-up draft and reserve call-ups had led to additional hardships and extreme burdens on our cold war veterans, and that it was a matter of great national concern when some individuals had to carry a grossly disproportionate share of the burdens of citizenship due to compulsory military service.

It was also recognized that this unfortunate state of affairs had existed since January 31, 1955 which was established by Presidential Proclamation as a cut-off date for acquiring eligibility for Korean wartime benefits. It was further recognized that young men entering the Armed Forces since that date had been called upon to make personal sacrifices associated with military service, yet had been denied the readjustment aids so vitally needed to help them catch up with those of their contemporaries who were not asked to serve but who instead continued the more lucrative and comfortable pursuits of civil life.

It was clearly perceived that this period of service could not be equated with peacetime service in its usual sense, for the reason that since January 31, 1955 our forces were engaged in a series of perilous operations in Berlin, Lebanon, Quemoy and the Matsu Islands, Taiwan Straits, the Congo, Laos, Vietnam and the Dominican Republic.

To select August 5, 1964 as the beginning eligibility date for benefits, as proposed in most of the pending Vietnam Era bills, will obviously eliminate many deserving veterans who have served under identical conditions between that date and January 31, 1955.

It is the feeling of the DAV that the 1964 date is at once so unjust and indisputably wrong that we are under a strong obligation to oppose it most vigorously.

The Bay of Tonkin engagement was in fact an isolated incident involving naval forces. Previously, however, there was considerable air and ground combat action with lots of casualties. Official records indicate that from January 1, 1961 to August 3, 1964, 179 members of the Armed Forces serving in Vietnam died as a result of hostile action; 84 died as a result of non-hostile action; and 1,071 were wounded in action.

The troops who served before August 5, 1964 gave of themselves in the same extraordinary military effort and sacrifice, showed the same skill, firmness and courage as that displayed by the troops who served on or after that date. We rather imagine that the men who fought in Vietnam prior to 1964 will be disheartened to learn that they are not considered war veterans, that they do not qualify for a pension because they had the misfortune to be honorably separated from service prior to August 5, 1964.

It would be equally difficult, we think, to explain to a Vietnam combat veteran who lost a leg or was blinded in battle August 3, 1964 that he does not have entitlement to an automobile, while his comrade who sustained the same loss, under the same conditions two days later, has unquestionable entitlement.

In the year 1961 the conflict in Vietnam developed from covert guerrilla action to open, if still small-scale, war. In that year, for the first time, the Vietcong committed forces of battalion size to combat.

President Kennedy at a News Conference on February 14, 1962 stated that the United States had increased its assistance to the (South Vietnam) Government, that we have not sent combat troops there, although the training missions that we have there have been instructed if they are fired upon, to fire back to protect themselves.

President Kennedy's statement would indicate that our military mission in Vietnam had changed from advisory to operational at a point in time prior to February 14, 1962. The statement also serves to reinforce the DAV contention that our troops were committed to combat long before August 5, 1964.

It is our sincere opinion that the most equitable and just beginning date for the proposed benefits is January 31, 1955, the date recognized by law for almost all other post-Korean benefits enacted by the Congress.

To do anything contrary would, we think, be a repudiation of the often repeated policy statement that we are only in Vietnam for the defense of freedom. For surely our servicemen who were ordered there, some of whom died there before August 5, 1964, were in Vietnam for that very same principle.

We know that this Committee—which has always given the full measure of its efforts to improve the well-being of all deserving veterans—will, in the interest of equity, give early approval to legislation extending wartime benefits not only to those veterans who served after August 5, 1964, but also to those who served during the critical period before that date. This purpose can be served by passage of HR 2068, a bill introduced January 12, 1967 by the distinguished Chairman of this Subcommittee.

The Disabled American Veterans at its most recent National Convention adopted two resolutions which have a limited bearing upon the Non-Service Connected Pension Program. They are somewhat similar in purpose and are set out in two bills introduced at DAV request by Congressman Olin E. Teague, Chairman of the full House Committee on Veterans' Affairs.

The first bill, titled HR 6170, would amend title 38, United States Code, to enable certain permanently and totally disabled veterans to receive the full rate of disability compensation payable for service connected disabilities, and also a proportionate amount of disability pension under a specified formula. The formula would apply to compensable ratings ranging from 10 through 90 percent.

The amount payable under the formula is determined by deducting from 100 percent the compensation rating evaluation, the result representing the percentage of pension payable in the case. For example, a veteran rated 40 percent for compensation purposes would receive his full rate of payment, $82 a month, for his service connected disability, and in addition, an amount equivalent to 60 percent of pension ordinarily payable.

For as many years as the DAV has sponsored this legislation, the VA for an equal number of years has opposed it on the principal grounds that it would constitute a duplication of benefits; that is, veterans would be paid twice for the same disability. H.R. 6170 would overcome this objection, since it eliminates the so-called dual payments concept as it applies to compensation and pension based on the same disability. We are not asking that a veteran be paid twice for the same disability. Nor do we ask that he receive concurrently the full amount of compensation and pension. We ask only, and we believe with justification, that the service connected disabled veteran who is entitled to disability compensation be also entitled to receive the benefits provided for in the Non-Service Connected Pension Program.

We earnestly urge that your Committee approve the very reasonable proposal contained in H.R. 6170.

The second bill mentioned above is titled H.R. 6171, and would amend title 38, United States Code, so as to provide for the payment of additional death pension to the widows of veterans who die while suffering from a service connected disability.

The intent of this legislation is to off-set in part the effect which a service connected disability usually has upon a veteran's ability to create an estate for his survivors.

In consideration of the loss of earning power during the veteran's lifetime this bill would provide that the present rates of death pension be increased by the amount of $5 for each 10 percent of rated service connected disability or disabilities payable to the veteran at the time of his death. For example, under present law, the maximum monthly pension payable to the widow of a 50 percent disabled veteran is $80. Under the terms of H.R. 6171 the widow would be entitled to an additional $25 for her husband's service connected disability rating, resulting in a total monthly benefit of $105. This is a reasonable and modest increased payment, we believe, in view of the severe economic impairment suffered by the veteran during his lifetime.

We respectfully urge, Mr. Chairman, that you and the members of your Committee give thoughtful consideration to the equitable proposal set out in this particular bill.

Mr. Chairman, as we indicated earlier, the primary responsibility of the DAV as an Organization is to propose or support legislation which would extend justifiable benefits to the service connected disabled veteran, his dependents and survivors. I want to say in this connection, Mr. Chairman, that your Committee has responded most generously to our many legislative requests, and for this we are deeply grateful.

We will offer no opposition to legislation proposing pension benefits, only when we are firmly convinced that its enactment will in no way jeopardize existing or proposed benefits for veterans with service incurred disabilities, and for their dependents.

Our position, then, is not one of flat opposition to any and all pension adjustments. Without question, some are needed and very desirable. We think there is a special need

at this time in order to off-set in some degree the shrinking power of yesterday's dollar on today's prices.

This objective can be attained through passage of HR 2068. Section 104 of the bill provides increases in disability pension payments, and Section 106 provides increases for widows of veterans of World War I, World War II, and the Korean Conflict. The proposed increases are on a par with those proposed by the President in his January 31st message to the Congress.

In closing, Mr. Chairman, I again want to thank you and the Committee members for your kindness and courtesy in permitting me to express the views of the Disabled American Veterans on the legislative matters under consideration.

## DISCONTINUANCE OF PASSENGER TRAINS AND FERRIES

Mr. CASE. Mr. President, in general I am glad to support the bill—S. 1175—that the Senator from Washington [Mr. MAGNUSON] recently introduced at the request of the Interstate Commerce Commission. This measure would amend section 13(a) of the Interstate Commerce Act—the section that deals with both interstate and intrastate discontinuance of passenger trains and ferries.

The provisions of this measure are, to a degree, in line with my own long-standing efforts to breathe a little elemental justice—from the standpoint of the train-riding public—into section 13(a) of the Commerce Act, better known, perhaps as the Transportation Act of 1958.

At present the provisions of 13(a) which govern interstate train and ferry discontinuances are weighted heavily against the public. Many of us, for example, recall the Weehawken ferry discontinuance which the ICC permitted to "happen" without taking any action. As we learned in that case, when the Commission refuses to act, a passenger service not only can be dropped at will, but the public's chance for a review in the courts is lost permanently.

Congress approved the 1958 Transportation Act chiefly to provide improved regulatory procedures and financial assistance to the railroads. It did not intend that wholesale curtailment of essential passenger service should be the result. Yet this is what has happened.

As far back as the late 1950's and early 1960's, I sponsored legislation to deal with the problems 13(a) has caused the commuting public, particularly in the northern New Jersey-New York City metropolitan area. This legislation sought to eliminate the present unworkable 4-month period in which the ICC must decide complex interstate discontinuance cases; require the railroads to justify the reasons why passenger trains should be eliminated rather than forcing the public to shoulder the burden of proof; assure the public the right of appeal to the courts in all interstate curtailments; empower the Commission, in acting on discontinuances, to impose whatever conditions it found the public interest required; and, provide the Commission with discretionary authority to impose employee protective provisions.

All of these points, except employee protective provisions, are dealt with and, to some degree, met by S. 1175.

Railroad employees whose jobs are threatened by interstate discontinuances should, I believe, be assured the same protection as is routinely accorded their fellow workers who lose their jobs because of abandonments. Under such a provision in interstate cases, the ICC might or might not impose employee protective provisions, as it saw fit. And if the Commission did so, it would have complete discretion as to the conditions it imposes.

While S. 1175 would assure the public the right of appeal in cases where the ICC investigates an interstate discontinuance, it would not deal with the public's lack of legal recourse in cases, such as the Weehawken ferry discontinuance, which the ICC chooses to ignore.

Nor does S. 1175 meet the problem existing in some States which have not asserted jurisdiction over the discontinuance of interstate passenger service. In these states, the carriers may drop trains and ferries at will, and the Commission can do nothing about it. The reason is that the Commission's jurisdiction is mandatory only in total abandonment cases, but not in the discontinuance of a portion of a railroad's service.

I believe both of these defects can be corrected by requiring the railroads to obtain affirmative authority from the ICC, or from State public agencies, whenever they seek to eliminate interstate passenger service.

Under 13(a), affirmative approval by the Commission is required for the discontinuance of intrastate trains, if a railroad seeks relief through the ICC. The provision I suggest would, in substance, make the same requirement applicable in the case of interstate trains.

In the days ahead I intend to introduce legislation to close these loopholes and to assure the commuter his day in court. This legislation also will deal with defects in the intrastate discontinuance procedures of 13(a).

I point out, however, that striking the inequities from 13(a) is only one needed step in dealing with our passenger railroad crisis, particularly mass transit in the metropolitan areas. The rebirth of the passenger railroads will require far wiser and more imaginative policies by all levels of government, and by the railroad industry, too, than have been in evidence heretofore.

## ARE OUR MUSEUMS BECOMING ARCHIVES?

Mr. RUSSELL. Mr. President, I do not pretend to be a connoisseur of the arts, but I am greatly impressed by the vast national treasures of paintings, drawings, sculpture, and crafts that have been assembled in the museums and exhibition halls of the country.

Indeed, we have amassed far more items of art than the great museums of the Nation can place on public exhibition at any one time. The result is that thousands of items are stored away, out of sight, because there is no room to show them. Yet, at the same time, many American cities—particularly some smaller ones removed from the so-called centers of culture—have little if any really fine art for public exhibition.

This overflowing supply of great art, so much of it unavailable for public viewing, at a time when thousands of Americans would welcome an oportunity to view some of the works, is a matter of concern to patrons of the arts, educators, and others interested in the furtherance of the arts.

One of these deeply concerned with this problem is Arthur L. Harris, an outstanding citizen and prominent business leader in Atlanta who is president of Mead Packaging Division and vice president of the Mead Corp. Mr. Harris has made a very practical suggestion to supply those areas of the Nation without easy access to art through traveling exhibitions, which would consist of many of the treasures that are stored in vaults away from public view.

Mr. Harris discussed his suggestion for expanding the opportunity for Americans to enjoy and experience great works of art in a recent speech at the 1967 Annual Art Exhibition of the Chattachoochee Valley Art Association, held at Callaway Gardens in Pine Mountain, in my State. His remarks contain much food for thought, and I commend them to the members of this body and to other readers of the CONGRESSIONAL RECORD.

I ask unanimous consent that they may be printed in the RECORD.

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

ARE OUR MUSEUMS BECOMING ARCHIVES?

(Remarks by Arthur L. Harris, president, Mead Packaging, and vice president, the Mead Corp., at Georgia Art Commission Seminar, Ida Cason Callaway Gardens, Pine Mountain, Ga., Jan. 25, 1967)

Through the past dozen or so years, The Mead Corporation has been involved in stimulating support of art, working directly and with various other firms. To a large extent, these programs have concentrated on broadening public exposure of the works of contemporary artists.

Through participation in traveling exhibitions, many unknown artists have won earlier recognition than otherwise might have been the case, and have earned recognition sooner in cities and regions distant from their homes. Some artists have achieved quicker and better gallery representation in major cities.

Such achievements should be a source of pride to those who have cooperatively contributed—the museums, the people in government-supported programs, and industry itself.

In traveling to cities large and small, throughout the nation, however, where Mead exhibitions have been shown, we have observed, more and more, a corollary need. In addition to promotion of new art works and new artists, a program needs to be launched to travel some of the treasures of wealthier museums to areas less fortunate in terms of art possessions. This need has been sadly neglected.

According to the operating administrator of a famous museum, the functions of a museum are to collect, preserve, study, interpret, and exhibit.

Five functions. The first three fit well enough into the concept of a museum as an archives: An archives is a suitable repository for the function of collection. A repository is a good central point for the preserving function—for the protection of works from harm and as a site for maintenance of objects of artistic, historical, and other interest. Likewise, an archives, or repository,

is all right as a site for study of the objects collected and preserved.

But what about the other two functions, interpretation and exhibition? This is a big, open question: Is the existing museum system, as it now operates, adequate for carrying out the purposes of interpreting and exhibiting?

There are many indices of the public's growing interest in the arts, and all of us are generally familiar with them. Four billion dollars was spent on cultural activities in 1965, and the figure is expected to soar to seven billion dollars a year by 1970. Museum attendance has spiralled 150 per cent in the past decade, and is now at the 300 million-a-year mark. The statistics are impressive indeed. But they are misleading.

The fact is that the great mass of people in the United States still do not have the opportunity to see or have interpreted to them, even a fair sample of the total of the art works available or existing in this country. Those who visit museums see only the works on exhibition. These works may represent only 10 per cent to one-half of the possessions of a particular museum. And people who happen not to reside near one of the better museums usually must travel far to see even those items on display or forever forego the benefits of viewing the best in art.

The museums can take three approaches with regard to wider exposure of their total possessions. One, of course, is to remain possessive and ostrich-like, and do nothing.

Other approaches are exemplified by current activities in New England. The Addison Gallery of Art, in Andover, Massachusetts, recently made a number of paintings available to the American Greeting Card Company exhibition in the Pan-American Building in New York, which has thousands of visitors weekly. John Canady of the New York Times wrote some kindly observations on this show.

In contrast to the Addison's action, the Boston Museum of Fine Arts has launched a multi-million-dollar fund drive to finance new construction for displaying some of its art works now in storage. This will serve the Boston area well enough. But it does nothing to serve the provinces. There has been no mention of traveling or lending the valuable works.

The earlier reference to the small percentage of a museum's possessions which actually are on exhibition stems from several sources. One source is a recent and revealing article in the New York Times Magazine. Writer Russell Lynes reported some thought-provoking and almost staggering figures.

The great Metropolitan Museum of Art owns some 365,000 objects of art, he said, of which about 75,000 are on exhibition. This leaves 290,000 objects in inventory and not accessible to the multitudes who throng the museum. Even though 16- to 19,000 items are usually on loan to other institutions at a given time, the museum is, indeed, as Mr. Lynes observed, a veritable iceberg, visible only in part.

In a survey of Mead's staff, museum directors and curators across the nation were questioned, and it was found that the situation at the Metropolitan is not unique. One major museum usually exhibits only about 10 per cent of its possessions. Several reported 50 per cent, and some museums claimed more than 80 per cent on display. Clearly, the archival function is being well served.

But the art works out of sight in basements and vaults consitute a wealth of potential exhibitions.

Consider the Metropolitan. It has more than 270,000 possessions stored away—not counting the average number of pieces out on loan. Think what could be done if the Met could make only 10 per cent of the 270,000 items available for exhibition away from its own premises: 27,000 objects of art. That number would make up 540 exhibitions of 50 works each!

Nor would such shows necessarily have to travel, in the literal sense. Loans could be made for a period of a year or several years. This is mentioned in the light of indications that there is considerable resistance to traveling works of art. One curator told us that the wear-and-tear problem will, in his opinion, lead to further tightening of policy on even the modest amount of exhibition traveling now being done. He cited a recent announcement by the Government of the Netherlands that no further loans of Dutch masterpieces to the United States will be permitted.

Thus the archival concept may become even more pronounced.

These remarks do not indict the dedicated, versatile, able professionals who operate the museums of our nation. Nor is there any implication that they all think negatively. In fact, on the museum-versus-archives front, evidence is emerging that some museum directors and other leaders in the art world are becoming restless.

Here is a recent statement attributed to the late Francis Henry Taylor, noted museum director and art critic:

"The dilemma of the modern museum," he said, is that "we must become temples of learning and understanding or remain merely hanging gardens for the perpetuation of the Babylonian pleasures of estheticism and the secret sins of archaeology."

Mr. Taylor apparently was saying, in elegant terminology, that museums must reassess their policies or, more and more, become mere archives. And an archival establishment hardly fits the concept of one well know museum director, that "a museum can keep people esthetically and historically alert, just as a sport can keep them physically and mentally fit."

This affirmative perspective has manifested itself several times in the recent past.

Various new stores have disclosed some cheering developments. One was an announcement by the Brooklyn Museum that a vast behind-the-scenes housecleaning had been completed, and the museum was bringing out 1,000 paintings—"most of them," according to Sanka Knox of the Times, "never seen by generations of the public."

In addition, three museums, including the Brooklyn, were reported to be considering establishment of storefront museums in poor neighborhoods. The others were the Smithsonian Institution and the Whitney Museum of American Art. Also, Brooklyn was said to be thinking about hanging art in automatic laundries.

Our own Georgia Art Commission has been considering a comparable operation for establishing area centers at Augusta and at Piedmont College, from which scores of schools in small communities could borrow exhibitions. This would be financed on a state-and-federal matching fund basis.

This has much merit, as do the Washington and New York projects. Each of them is creative and positive. But none of these projects even begins to meet a very broad need which requires a more massive, widespread, and systematic approach. Art should be seen on as broad a basis as possible.

Much of the nation's art is concentrated in larger cities, as a result of the concentration of wealth in those cities. Because the country's tax structure has encouraged gifts and bequests of art works, the population centers have tended to become art centers.

Since everybody is a taxpayer, it is morally clear that taxpayers throughout the nation are entitled to access to collections which have resulted in part from our federal tax structure. Such access should not be limited to art devotees where art donors happen to live.

This poses a problem. In industry, when a problem is identified in production, management, or marketing, a practical plan is drafted to solve it. The plan is then implemented, step by step, and the problem situation is at least ameliorated.

As a nation, we have a problem of inadequate exposure and circulation of our art treasures. To solve the problem, a practical plan is needed. Logically, the plan would call for identifying and locating the art we are talking about—cataloguing it. Secondly, interest and support need to be generated to bring out works of art from storerooms and place them before the public, especially in smaller communities.

The Georgia Art Commission can take the first tangible steps toward a new era for art in America.

I propose that the Commission undertake the cataloguing of works of art in our own state—or perhaps the works in Georgia and those in one of our neighboring states.

Such a project could serve as a pilot operation for all of the other art commissions of the states and territories.

With a state-level cataloguing complete across the United States, the data could be combined and centralized to establish a national cataloguing in banks of computer tape in such a location as Washington, D.C., accessible to responsible groups nationwide.

Such a central catalogue does not now exist, and would serve a variety of purposes. But most importantly it could serve as the keystone to stepped-up circulation and sharing of our nation's art treasures.

In a recent newspaper interview, the director of the High Museum in Atlanta bewailed the fact that only money was needed to acquire a fine, meaningful collection. Money would be no problem for him if the Metropolitan would lend the High Museum several hundred works it has stored away.

If other wealthy museums followed suit, a desirable chain reaction could ensue. On a one-year or longer basis, the medium-sized museums could lend their holdings to smaller museums, which in turn could spare and share their art works for exhibition in schools, libraries, and so on. A dazzling potential.

A general plan has been suggested to help such a situation materialize.

The initial move should be formation of a committee under auspices of the Georgia Art Commission to develop a pattern for canvassing Georgia's works of art. Experts and authorities should sketch out procedures, criteria, standards, means of financing, and other aspects of a state-level cataloguing.

Assistance from various sources is available. Having heard the suggestions for a national cataloguing, interested representatives of a New York publishing firm have already called on the Metropolitan Museum. From museum staff members who could be helpful in establishing criteria and standards for works to be catalogued, there were expressions of definite interest and possible cooperation.

Likewise, in view of the potential value of computer techniques in the undertaking, firms in the data processing field have been attracted.

The Archives of American Art in Detroit, which has missions of a different nature, also is interested, as is the New England Regional Research Center for Arts Commissions and Councils, and the humanities research group at New York University.

Advice and help aplenty would be forthcoming if the project were launched.

With a realistic plan, the Georgia Art Commission can feasibly undertake the cataloguing enterprise. This would be a significant move to help ensure that America's museums do not become mere archives and that the hunger for art across the nation is better appeased.

Adoption of this project would be a major, valuable contribution to the art world by

the Commission, and would reflect great credit to Georgia and to the distinguished Commission.

## HIGH SPEED GROUND TRANSPORTATION

Mr. PELL. Mr. President, I should like to call the attention of the Senate to a very excellent report on "Research and Development for High Speed Ground Transportation," which has just been made public by J. Herbert Hollomon, Acting Under Secretary of Commerce and formerly Assistant Secretary of Commerce for Science and Technology.

The report was rendered by a special panel of prominent technical experts who were requested last June to survey the technical prospects for the development of high speed ground transportation and to provide the Department of Commerce with guidance and recommendations for research and development in this field.

Mr. President, I have a very special interest in this matter because the High Speed Ground Transportation Act of 1965 was a direct outgrowth of my own campaign to improve the quality of ground transportation in the Northeast Corridor between here and Boston. So far, much of our attention has been focused on the first phase of this excellent program, which provides for demonstrations of new conventional passenger railroad equipment between here and New York and between New York and Boston. I am happy to say that there appear to be good prospects that this new equipment, financed through the 1965 act, will be in revenue service before the end of this year, and that it should offer us an excellent opportunity to test public response to improved rail passenger service.

The second phase of the high speed ground transportation program provides for a research and development program that could lead to a whole new generation of transportation equipment, and ultimately, to the creation of wholly new systems here in the northeast megalopolis and elsewhere in the Nation. The Office of High Speed Ground Transportation has already made some fine beginnings on this phase of the program but much remains to be done and for this reason the special panel of technical advisers was assembled last year to help chart the future course of the program.

The panel recognizes at the outset that they are venturing into unknown areas in many respects and that the research required therefore should be broadly based and that it should encompass studies of the objectives and requirements of such future systems using the most sophisticated methods of systems analysis and data studies. They list 14 priority areas which in their judgment deserve thorough investigation if the study is to go forward in an orderly way.

Mr. President, I applaud the sound way in which the Department of Commerce sought out this expert guidance in helping to direct the future course of this most important program. I hope the findings will be weighed carefully and that they will contribute to a balanced and reasonable plan of progress to meet the goals of the program. I ask unanimous consent to insert in the RECORD at this point a press release from the Department of Commerce dated March 15, together with the text of the report on the Panel on High Speed Ground Transportation.

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

PANEL RECOMMENDS MORE RESEARCH IN HIGH-SPEED GROUND TRANSPORTATION

A committee of prominent technical advisers to the Department of Commerce has recommended an expanded and accelerated program of research and development in high speed ground transportation.

High speed ground transportation systems are defined in the report as those systems which are designed to operate on fixed guideways at intercity cruising speeds of 300 miles per hour and above. Such systems have been suggested as a potential means of meeting the future transportation needs of the nation.

The report issued today concluded the work of a high speed ground transportation panel appointed last June by the Secretary of Commerce at the request of Alan S. Boyd, then Under Secretary of Commerce for Transportation. The Panel was created under the Commerce Technical Advisory Board by its Chairman, Dr. J. Herbert Hollomon, Assistant Secretary of Commerce for Science and Technology and Acting Under Secretary.

The report recommends a heavy emphasis on systems analysis and data studies to determine the use of, and to assist in setting design criteria for, any future high speed ground transportation system. In addition, a number of technical research areas, including support systems, aerodynamics, tunneling, power transfer, braking, and terminal design and operation, are set out for special study.

The current research program in the Office of High Speed Ground Transportation should be substantially increased, the report states. The high capital cost of the new technology and the long lead time necessary for development of an operating high speed ground transportation system are cited as reasons for this recommendation.

George R. Herbert, President of the Research Triangle Institute, Durham, N.C., was chairman of the Panel. Serving with Mr. Herbert on the Panel were Dr. Harold Chestnut, General Electric Company, Schenectady, N.Y.; Walter S. Douglas, Parsons, Brinckerhoff, Quade & Douglas, N.Y.; Martin Goland, Southwest Research Institute, San Antonio, Tex.; Dr. Nicholas J. Grant, Massachusetts Institute of Technology; Dr. William J. Hall, University of Illinois, Urbana; Dr. William W. Hay, University of Illinois, Urbana; Herbert Hazard, Battelle Memorial Institute, Columbus, Ohio; Edward H. Heinemann, General Dynamics Corporation, New York City; Leonard Linde, Allis Chalmers Co., Milwaukee; Dr. Frederick C. Lindvall, California Institute of Technology, Pasadena; James J. Murray, Army Research Office, Durham, N.C.; Dr. George Solomon, TRW Systems Group, Redondo Beach, Calif.; and Dr. John Truxal, Polytechnic Institute of Brooklyn.

The Executive Secretary for the study was Paul T. O'Day of the Department of Commerce. The Panel was supported by approximately 30 additional experts who served as staff and on subpanels dealing with communication and control; guideways, suspension and aerodynamics; passenger and freight factors; propulsion, energy, and braking; and terminals and interfaces.

The report is entitled "Research and Development for High Speed Ground Transportation" and is for sale ($3.00) by the Clearinghouse for Federal Scientific and Technical Information, Springfield, Virginia, Order No. PB 173911.

A limited number of press copies is available from the News Room (5062) of the Department of Commerce.

RESEARCH AND DEVELOPMENT FOR HIGH SPEED GROUND TRANSPORTATION

(Report of the Panel on High Speed Ground Transportation, convened by the Commerce Technical Advisory Board, U.S. Department of Commerce, Washington, D.C., March 1967)

Any view of the decades immediately ahead indicates that the volume of intercity traffic will increase greatly because of population expansion, the combination of increased real income and greater leisure time, the development of urban strips, and expanded geographic distribution of business and industrial activity. Before the end of this century, the projected level of such travel will tax the combined capacities of conventional transportation.

Without doubt, the nation's intercity transportation system of the future will consist, as it has in the past and does today, of a mix of travel modes. These certainly will include private passenger automobiles, buses, higher speed lightweight trains, conventional aircraft for medium to long distances, and supersonic air transports for long routes. In addition, Vertical, or Short Take-Off and Landing aircraft (V/STOL) are being considered for ranges up to 600 miles, with intermediate stops at shorter intervals.

The capacity to move people and goods rapidly and efficiently between urban centers is essential to the continued growth and vitality of the nation's economy. The already congested conditions at major metropolitan airports and the growing congestion of the highway system may require the creation of a new, and additional, mode of high-speed intercity transportation.

Conscious of the imminence and potential importance of this problem, the Congress, in passing the High Speed Ground Transportation Act of 1965 (PL89–220), authorized "research and development in high-speed ground transportation including, but not limited to, components such as materials, aerodynamics, vehicle propulsion, vehicle control, communications, and guideways."

Similarly aware that the creation of an effective total national transportation network requires consideration and evaluation of possible new modes of intercity ground transportation, Alan S. Boyd, then Under Secretary of Commerce for Transportation, requested establishment, by the Commerce Technical Advisory Board, of a High Speed Ground Transportation Panel. This Panel was created by Dr. J. Herbert Hollomon, Assistant Secretary for Science and Technology and Chairman of CTAB, in June 1966, and was assigned the following Charter:

"Survey, in a broad sense, the technical possibilities of novel modes and ideas for high speed ground transport systems and devices.

"Survey what research and development projects currently in existence have a direct bearing on unusual HSGT systems and devices.

"Provide the Department of Commerce with evaluation, guidance, and recommendations for both immediate and long-range research and development programs which may lead to practical HSGT systems."

The Panel was requested to provide the Department[1] with preliminary findings and recommendations in October 1966, and complete its work in December. (An oral summary report was presented to CTAB at a meeting on October 18.)

The fourteen members of the panel were assembled from industry, universities, inde-

[1] During the period of the Panel's study, legislation was passed by the Congress creating a Department of Transportation. Recommendations in this report relate to the functions and responsibilities of the new Department.

pendent consulting organizations, and research institutions. At the first meeting (June 28–29) the members agreed that the comprehensiveness of the technical assignment and the urgency for timely action required the establishment of five Subpanels, each chaired by a member of the Panel, to carry out detailed study within the following areas:

Guideways, Suspensions & Aerodynamics
Propulsion, Energy & Braking
Communication & Control
Passenger and Freight Factors
Terminals & Interfaces

In addition to utilizing the experience and knowledge of the members, the Panel and Subpanels have met with many representatives of governmental, industrial, and academic organizations to review the state of the art and to receive statements on the technical and operational problems facing the development of high speed ground transportation systems. The Panel gratefully appreciates the time and effort given by these organizations, often on very short notice, to provide facts and opinions. The Panel is equally grateful to the Department's Office of High Speed Ground Transportation for providing both staff assistance and detailed information on the Office's existing and planned programs.

For the purpose of the Panel's survey and recommendations, "High Speed Ground Transportation (HSGT) Systems" were considered to be systems which operate in, or on, fixed guideways at sufficiently high intercity speeds to permit a significant reduction of door-to-door travel time if properly coupled with intracity transportation modes. In evaluating concepts and technical feasibility, an intercity cruising speed of approximately 300 m.p.h. generally was used as the criterion. While this figure should be considered neither as a minimum nor a maximum for HSGT systems, the Panel believes that a commitment of national resources as large as that required for a new transportation system could not be justified unless it provided intercity speeds substantially greater than those which could be realized by evolutionary improvement of conventional rail transportation.

Recognizing that the construction of an HSGT system with the operating characteristics defined above would require an investment of several billion dollars, it would seem logical that the total program should be divided into three phases:

1. Pre-prototype research and development.

2. Prototype design and construction.

3. Construction and operation of the first element of a full scale system.

Even with some overlap between phases, decisions and commitments would be made sequentially, with each depending on the results of the preceding phase.

The research and development recommendations contained in this report relate primarily to the pre-prototype phase, a period of perhaps five years.

OBSERVATIONS AND CONSIDERATIONS

1. In a broad view, a High Speed Ground Transportation System must be considered as one element of a greater system which consists of three major categories of transport: urban (intracity); medium range (intercity air and ground); and long-range (i.e., transcontinental air transport). This Panel considered in detail only the specific case of medium range ground transportation but recognizes the necessity for effective interaction of this portion of the total system with the other elements.

Since primary Federal responsibility for research aspects of intraurban mass transportation is assigned to the Department of Housing and Urban Development, the Panel believes that permanent, continuing coordination of research and of system selection and design should be established directly between the Office of High Speed Ground Transportation and the research organization in HUD. Similarly, effective mechanisms should be maintained for liaison with other Federal organizations sharing responsibility for the Nation's transportation system.

2. There are compelling needs for a substantially larger and more diversified investment of research effort than currently is being undertaken. The decision to create a new system of high speed ground transportation requires a commitment of major financial, material, and human resources. The design of such a system must be preceded by the solution of complex technical problems in several areas of science and engineering. Even if expedited by the priority which stems from national need, the time between initiation of design and attainment of operational status of the first increment of such a system will span many years—perhaps of the order of fifteen.

The magnitude and variety of the decisions to be made, and the advanced technology required for the design of a system, justify a substantially increased research and development commitment. In addition to the studies currently underway, and in view of the complex demands of the program, every effort must be made to attract the attention and participation of all potential contributors. The Panel considers the current program only a beginning. A broadly expanded effort including large scale research and development projects, will be required to provide the data necessary for eventual system selection and design.

3. Passenger safety and operating reliability must be the primary, over-riding considerations in planning and designing an HSGT system.

4. It is the considered opinion of the Panel that early systems analyses will show that an HSGT system optimized for passenger traffic is preferable to an HSGT system optimized for transporting passengers with their automobiles. This is based on the belief that (1) such a system would entail the use of two vehicles to perform the function of one, carrying automobiles over intercity routes where highway congestion is relatively less severe and discharging them into traffic-choked metropolitan areas; and (2) the additional problems of vehicle structural strength, support and suspension, and energy requirements would increase substantially the cost for an auto-carrying system.

It is emphasized, however, that these observations are not intended as a commentary on ferrying of passengers and their automobiles on railroad systems which operate at relatively slower speeds.

5. The Panel is confident that present modes of surface transportation of freight (rail, truck, and water) will continue to increase their total capacities. Therefore, the accommodation of passengers should be the primary consideration in the selection, planning, and design of a new HSGT system. Specifications for vehicles, suspension, support, and guideways should be influenced by freight carrying requirements only to the extent that the quality of passenger service is not adversely affected.

6. It may be desirable to enclose major portions of the guideway of an HSGT system. Environmental factors, vandalism, and the intrusion of stray objects will affect safety and reliability; aesthetics, noise, and other social considerations also are important factors and will influence system design.

SUMMARY OF RESEARCH RECOMMENDATIONS

Throughout its studies, the Panel has been aware of the dilemma resulting from the charge to recommend "research and development programs which may lead to practical HSGT systems" at a time when there is insufficient information on passenger demand or on the relative role of HSGT in the total transportation system to permit a decision of national commitment to this concept. Similarly, technical knowledge is, at present, inadequate for identification and design of a "best" system.

Judged solely on the basis of technical feasibility, however, there is ample justification for a major research and development effort predicated on the future need for an HSGT system.

Although perhaps a slight oversimplification, potential projects may be listed in four categories:

1. Those designed to produce data required before making a decision to commit a national effort to the development of an HSGT system;

2. Projects which will provide, if such a commitment is made, technical information necessary for selection of the type of system to be developed, i.e., form of propulsion, support, etc.;

3. Research in areas critical to any type of HSGT system and which, if initiated now, would shorten the time between system identification and operational status; and

4. Research related to the design of specific systems or subsystems.

The Panel and Subpanels have given consideration in varying degrees to each of these categories. Identification of needs and recommendations for research and development efforts are detailed in the Subpanel reports (Appendixes C to G).

Principal attention, however, has been directed to recommendations relating to the first three of the above categories in the belief that, in general, Federal support of projects pertinent solely to a particular system, or subsystem, should be deferred until selections have been made from among the many possible system configurations.

The section on Research Recommendations summarizes fourteen research areas designed to provide data necessary prior to making a decision to undertake construction of an HSGT system or to furnish technical information and evaluations needed for selection of the system and its component elements and includes, as well, several research areas common to all system combinations.

These fourteen areas are considered to rank as the most important of the many considered by the study groups and should receive priority attention by the Department as soon as planning, personnel, and funding permit. From this group, the first six are of such critical importance that they should be prosecuted with a sense of great urgency if the Nation's transportation is to include any HSGT systems before the end of the 1980s. The areas covered by these highest priority recommendations are:

1. Continuing systems analysis and simulation are necessary now to establish a proper set of objectives and requirements for HSGT and, in the future, will provide inputs to the system design.

2. Initiation and expansion of transportation data studies will be essential as inputs to system concepts and should be integrated into the recommended systems analysis.

3. Resolution of the contact vs. fluid support question is a necessary prerequisite to other decisions of system design.

4. There is insufficient knowledge about the aerodynamics of vehicles traveling in tubes at high speed.

5. The extent of tunneling which will be required for a new HSGT system highlights the need to accelerate the development of tunneling technology.

6. Insufficient information exists on the transfer of electrical energy by contact rails and collectors at the speeds contemplated.

There are two additional suggestions to which the Panel wishes to call attention, although they are not specific recommendations for technical research areas.

First, the successful implementation of a research and development program of such complexity as the one outlined in this report will necessitate coordination and integration of projects in many areas of engineering and science. Effective management of such a

program, therefore, will require a departmental staff professionally competent in the critical technical fields and experienced in the techniques of systems management and systems analysis. While the small staff assembled to date by the Office of High Speed Ground Transportation provides the core around which the additional personnel can be assembled, the Panel believes the commitment to a major HSGT research and development activity must be paralleled by a decision to add substantially to the Department's own staff capability.

Second, not only will the design and construction of an HSGT system be an undertaking of substantial magnitude; the research which must precede, and then continue to support, its development will encompass many diverse fields. For these reasons, the Panel recommendations that the Department of Transportation consider the creation of technical advisory groups with which programs related to transportation technology, including HSGT, could be reviewed. Without impinging upon the responsibilities which must rest with the Department, such groups, drawn from industry, universities, and research institutions, could provide valuable consultative guidance to the complex technical effort envisoned.

From the many specific research projects considered by the Panel and Subpanels (and detailed in Appendixes to this report) the following fourteen were identified as requiring primary attention. Of these, the first six were recognized as being of such importance that they should be pursued immediately. Certain of the recommendations already have been implemented, in which case the recommendation should be regarded as supportive. (A list of research and development contracts, judged by the Office of High Speed Ground Transportation as being applicable to these recommendations, is contained in an Appendix.)

1. *Systems Analysis.* Since the technical objectives and requirements of an HSGT system are, at present, imperfectly known, a vigorous effort is needed in the areas of system simulations (computerized models and analysis), and cost-analysis studies. Further, a review of the several HSGT concepts presented to the Panel indicates that several general systems areas need attention. Some of these are of a nature which will provide inputs to the final system concept (economics and population growth, for example); others are related to technical systems characteristics (i.e., consideration of econo-technical tradeoffs, route structure, and social acceptance). Such systems studies will be necessary to provide proper guidance to subsystem research and development and, of course, are the key to arriving at a proper set of objectives and requirements for HSGT.

(a) The needs and wishes of passengers serve as a driving function in establishing the requirements and later, the specifications for an HSGT system. Early research of a social and economic nature, therefore, is essential to help determine what these passenger needs, wishes, and opinions are (and may be) as pertinent to HSGT.

(b) Complete systems analysis and simulation studies should be conducted in advance of engineering design and continued throughout field testing phases. Such studies will be most valuable as design concept tools and in providing guidance and constraints to the research and development program.

(c) Economic modeling of the HSG system is of considerable importance since in a true sense economic considerations will dictate, in addition to other factors, the finally chosen cruising speed for the system. Although it is recognized that "precise" economic studies are heavily dependent on the results of certain technical topics (tunnelling techniques, propulsion systems, tube/vehicle aerodynamics, etc.), approximations of sufficient accuracy for preliminary assessment probably are available now.

2. *Transportation Data Studies.* The studies of transportation requirements now underway are essential inputs to the HSGT system concept analyses. Such studies include passenger demand, origin-destination data and passenger responses. To make these data more realistic, current demonstration projects should be expanded, or new ones initiated, in areas where meaningful data can be obtained.

These two recommendations clearly indicate the Panel's strong support for system analysis of the HSGT need.

3. *Contact vs. Fluid Support.*[2] The Panel believes that the basic questions relating to contact support (wheel or slider) versus fluid support systems, at the high speeds being considered, are not yet satisfactorily resolved. Research on the limits of rolling-contact support and adhesion and the performance of fluid support systems should be given the highest priority because of their effect on other aspects of system design.

Until additional experimental data are available, the possibility of wheeled support and drive at high speeds should be considered an open question. The Panel recommends that factors such as wheel internal dynamics, contact dynamics, adhesion, and wear phenomena be explored experimentally, as well as analytically, to establish the limits of performance in the acceleration, deceleration, and constant-velocity phases of use.

Attention has been focused on a variety of air-support systems for HSGT. Although the basic fluid mechanics of air-support systems of low and high clearances is well understood, with well-developed analyses available, there is rather limited application experience, and none at the speeds contemplated. Recognizing that the performance limitations of contact support may prove to be inadequate for HSGT, thereby requiring the adoption of unconventional support systems, the Panel strongly endorses additional experimental research on fluid support systems to determine clearance tolerances, power requirements, and performance characteristics.

4. *Tube-Vehicle Aerodynamics.* Relatively little experimental research has been conducted on the aerodynamics of vehicles moving in tubes at high speed. Since, regardless of the mode of support or of propulsion, the aerodynamic drag and the stability of the vehicle are dominant factors, the Panel recommends that considerable additional research be directed toward determining drag and other behavior characteristics of vehicles moving in tubes at the blockage ratios and at the high speeds pertinent to HSGT. The results of this research are necessary to perfect vehicle profile and to establish power requirements.

It should be noted that conventional wind tunnels may be of questionable value for such experimental research, since valid results may require either that the model move in the presence of fixed walls or that the air and walls move relative to a fixed model.

5. *Tunneling Technology.* Many factors, including the real and social costs of land in urban areas, safety, and the need to limit vertical acceleration, will require that major segments of an HSGT system operate in underground tunnels. A large percentage of the capital costs of a system will be attributable to tunneling, and a long lead time for planning and construction will be necessary for extensive tunneling. These considerations provide an extra stimulus for development of tunneling technology, and additional research is recommended.

Recognizing that tunneling is also an essential element in other Government and private programs, the Panel recommends that the Department cooperate closely with other agencies in planning and funding research in this area. Although cooperative programs are a means of advancing tunneling technology at minimum cost, the Department should continue and expand research in areas specifically related to HSGT systems to meet the time requirements for construction.

6. *Contact Rails and Collectors.* A critical area that will greatly influence propulsion systems is the possibility of using current carrying rails or conductors, with the electrical energy being transferred through collectors or shoes that are a part of the vehicle system. Authorities differ in their estimates of the difficulties involved in transferring electrical energy by this method at vehicle speeds in excess of 160–200 m.p.h., and the Panel recommends that a practical test program be undertaken to establish operating limits and to guide future development.

7. *Service and Emergency Braking.* Research should be supported in service and emergency braking, including aerodynamic, and friction braking concepts. Various types and combinations of braking modes are possible for HSGT, and braking of the vehicle from his speed may be a sequential process involving aerodynamic braking with drag-producing devices at very high speeds, followed by dynamic or regenerative braking, and ending with friction braking in the low-speed regime.

Research is recommended to define the practical range of braking effort which each mode can provide over the speed range.

8. *Dynamic Modeling.* Consideration of the system dynamics is important since it is likely that passenger comfort will be a major speed-limiting factor. The Panel recommends the development of a dynamic model which simulates the behavior of the passenger, vehicle, suspension, support mechanism, and guideway in some detail. Use of such a model will allow system designers to weigh the criticality of the various parameters of the dynamic system and to design system elements to achieve maximum passenger comfort.

9. *Evaluation of Safety Aspects and Failure Mode Analysis for Communication and Control Systems.* Reliability and fail-safe design are essential to communication and control hardware and software for an HSGT system, which will be highly automatic in its primary mode of operation. Research is recommended to develop criteria for assessing the safety of communication and control systems and, using failure mode analysis, to apply the criteria to evaluate proposed systems. Research in system design in this area should have as its objective the development of a completely fail-safe electronic network which provides for independent safety control in the event of failure of the primary control system or in other emergencies. The development of fail-safe means to determine the position of vehicles and the presence of obstacles is essential for safety and reliability of the system.

10. *Linear Electric Motor.* The Panel supports the Department's studies to determine the potential of the linear electric motor for traction and braking and recommends expansion of this effort to include a preliminary design analysis. Such an analysis should provide an early answer to the question of technical and economic feasibility of this type of propulsion.

11. *Communication Link Security.* Secure communication links between vehicles, wayside points, and control centers will be essential for HSGT systems. Although industry has large research and development efforts in this general area, some of the problems of coding, noise, modulation, and external interference are peculiar to the system demands of HSGT, and support should be given to the development and evaluation of coding means to provide the necessary level of reliability.

12. *Computational Validity.* In light of

[2] "Support" is defined as the method of supporting load on a guideway, and "suspension" refers to the linkage between the support mechanism and the vehicle body.

the 24-hour service requirements for the command and control computer systems, which will not permit a system to be taken down and "restarted," improved techniques must be developed to provide consistent fault isolation either to the computer hardware or to the element of software causing failure.

13. *Guideway Materials and Construction Techniques.* Guideways of an HSGT system probably will utilize, to a large extent, conventional structural materials, such as steel and concrete. Structures of these materials have not had to meet the severe HSGT performance requirements necessary to withstand repetitive heavy dynamic loading, to maintain close tolerances and stable alignment, and to resist degradation. Materials and structures research should be undertaken in this area along with development of new structural designs and fabrication techniques for consistent and stable guideways which can withstand creep, temperature variations, and other factors affecting the alignment and wear of the surfaces.

Methods of guideway construction, permissible tolerances, techniques for maintaining alignment, switching and bypassing, and maintenance will require particularly careful attention in the research and development stages.

14. *Terminal Design and Operation.* Reduction in door-to-door travel time is heavily dependent on terminal design and operation. The problems of effective interface with other transportation modes, of efficient traffic transfer procedures, and of scheduling and dispatching need thorough investigation. Multi-modal terminals, serving HSGT and other transportation systems, such as V/STOL and local mass transit, are attractive possibilities for exploration. Flexible terminal design capability to allow modification and expansion as transportation needs and systems evolve is also an important study problem.

In addition to the above recommendations selected for major importance and emphasis, additional recommendations of varying import are also embodied in the separate Subpanel reports which follow.

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## COORDINATION AND PLANNING NEEDED IN AIRPORT DEVELOPMENT

Mr. PEARSON. Mr. President, on March 14 I introduced S. 1271, a bill to establish a permanent advisory commission for air transportation and airport planning and development.

The purpose of the commission would be to make continuing investigations and studies, to serve as a clearinghouse for information, ideas, estimates of future traffic and future needs, and to recommend the steps to be taken to achieve the goal of having the safest and most efficient air transportation system possible at the lowest possible cost to the users and the taxpayers.

Mr. President, there is no question that more money is needed immediately to correct existing inadequacies at many of our Nation's airports. However it is even more important that we realize the need for coordinated, systematic airport planning and development. If we fail in this responsibility, I fear that in 10 years our air transportation system in the United States will be totally disjointed and completely inadequate.

Many examples can be cited of major air terminals which have undertaken and completed major expansion programs in the last 2 or 3 years only to find that their expanded facility is already inadequate to serve the existing needs of the fast-growing aviation industry.

One such example is Stapleton International Airport in Denver, Colo. Stapleton has only recently completed a $12 million expansion program. However, the Denver Post of March 12 reports that increased traffic has already created a desperate situation at this facility. The city administration plans to place a $25 million revenue bond proposal on the ballot as soon as possible.

It is just such a situation as this that we must learn to avoid if our airports are going to keep pace with the airlines, the general aviator, and the traveling public in the future. The planning and coordination which would be provided by the advisory commission on air transportation and airport planning and development, and which would be available to the airport operators and owners, would eliminate the development of such a situation.

Mr. President, I ask unanimous consent that the article published in the Denver Post be printed in the RECORD.

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

STAPLETON AIRPORT OUTGROWS RECENT $12 MILLION EXPANSION

(By Willard Haselbush)

Stapleton International Airport already has outgrown its recent $12 million expansion and needs new concourses and more room to handle the increasing traffic it attracts as one of America's major air transport hubs.

The situation is so desperate The Denver Post learned Saturday, that the city administration plans to place a $25 million revenue bond proposal on the ballot soon.

The revenue bonds—not a tax obligation to homeowners—will be earmarked for expansion at Stapleton.

Airport revenues—fees paid by airlines for use of the facilities—will be used to pay off the bonds.

The new airport bond issue election, The Denver Post learned, is planned to coincide with the city's expected June runoff election to select winners in the multi-candidate councilmanic races. The regular city election will be in May.

ALREADY ON BOARDS

Already on the drawing boards as airport and city officials prepare for the bond election are plans for a second level to be added to Stapleton's Concourse A, now utilized by Frontier and Central Airlines.

Planned later is a new Concourse D extending north from the present terminal.

Concourse D would serve any airline awarded routes in the pending Northwest-Southwest route case to be decided soon by the Civil Aeronautics Board.

Eastern Air Lines has been recommended for the Denver-St. Louis segment of the new route system which will link Portland and Seattle with Southeast United States and Texas.

In addition, Concourse D would be designed to serve the new "jumbo jets" which United Air Lines and other carriers are beginning to use to carry both passengers and cargo.

The second story addition to Concourse A is a "must" according to officials of Frontier Airlines. It would serve the fleet of Boeing 727 trijets which the Denver-based airline is acquiring and make possible a covered entrance for boarding the jets on Concourses B and C.

SIXTY-TWO FLIGHTS DAILY

Frontier now operates 62 flights daily in and out of Denver and for several weeks has double parked its airliners on the ramp at Concourse A during peak periods and uses emergency gate positions normally assigned to Central Airlines.

"We are out of space at Stapleton International Airport," a Frontier spokesman said. "Before we can substantially add to our flight frequencies at Denver, we will need additional gate positions and ramp area for parking our aircraft."

Spokesman for Continental Airlines, No. 2 carrier (United Air Lines is first) serving Denver, said their facilities at Stapleton also are "getting too tight." Continental has 31 daily inbound and 31 daily outbound flights from Stapleton, matching Frontier in flight frequency.

In all, more than four million passengers arrived or enplaned at Stapleton in 1966, and the airport ranked as 15th busiest in America.

"By 1970 more than five million passengers will be using these facilities," a Stapleton spokesman said. "We now are handling more than 360 scheduled airline flights a day, plus regular flights by more than 400 general aviation planes based here.

"That means we've got to keep growing to meet the demand."

## THIS IS A BARGAIN?

Mr. METCALF. Mr. President, the excess profits of electric utilities are growing despite slight rate reductions. Statistics just released by the Federal Power Commission concerning the investor-owned utilities show that 56 IOU's in 23 States have exorbitant profits which often exceed the rates of return theoretically allowed by State commissions, many of which are regulating the customers but not the utilities.

The return on invested capital of the 35 principal IOU's, which account for two-thirds of the profits of our largest industry, ranged up to 16 percent in 1965

and average 11.4 percent. The return on invested capital for these principal companies in previous years averaged 10 percent in 1964, 9.7 percent in 1963, and 9.5 percent in 1962.

One of the incessant, erroneous, customer-financed utility advertisements states that electricity is the biggest bargain in the family budget. In truth, for millions of Americans the electricity bill is the biggest overcharge in the family budget. I hope that more college students will do what a young Illinois coed did recently. She took utility advertisements to her logic class as excellent examples of fallacies.

According to "Statistics of Electric Utilities in the United States, 1965, Privately Owned," just released by the Federal Power Commission, the rates of return of 122 companies, 64 percent of the 192 principal IOUs, increased from 1964 to 1965. In the latter year, the rates of return earned by 90 companies, 47 percent of the total, were higher than in any of the preceding 4 years.

Rates of return in 1965 were as high as 13.3 percent. I would emphasize that a utility's return on invested capital is usually far above its rate of return, because of relatively low carrying charges on debt.

Seven of the 56 companies with a rate of return of 8 percent or more are located in Texas, where there is neither Federal or State electric rate regulation. I understand that State regulation of electric utilities is now under consideration in Texas. I would suggest to my Texas friends that they look at this proposal very carefully. Utility lawyers are very skillful in getting political leaders to propose utility statutes which regulate only the customers. I would hope that Texans do not get saddled, as Montanans have been, with a fair value rate base, and insufficient control over stock options, which utility insiders in Montana, Texas, and a number of other States indulge in.

A case may be made for stock options in risk industries, but not in the virtually risk-free, Government-protected, heavily-subsidized monopoly utilities. Montana and Texas utility leaders have led the IOUs to the option trough, stealthily eating into the equity of the ordinary utility stockholders as they acquire stock at as low as one-third or one-fourth of its market price.

One IOU official in Montana made an option windfall of more than a third of a million dollars in 1 day. The president of Texas Utilities did as well, although he stretched his windfall out over a period of time. Other Texas utility officials have each picked up about $200,000 by the option schemes.

Interestingly enough, several of the optioned elite are also former presidents of the Edison Electric Institute, the IOU trade association. Its leadership has consistently refused invitations from radio and television newsmen to discuss publicly the practices and tactics of the industry which, some of us believe, are not in the public interest.

Five of the 56 companies having a rate of return of 8 percent or more are in Illinois and five are in Ohio. Four each are in Indiana, Louisiana, and Michigan, three each in Iowa, Kentucky, and Massachusetts, two each in Florida, Mississippi, New Mexico, and Oklahoma, and one each in Arkansas, Georgia, Kansas, Missouri, Montana, North Carolina, Pennsylvania, Rhode Island, Vermont, and Wisconsin.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table showing the return on invested capital of the 35 principal IOUs in 1965; a table I have prepared which shows the IOUs with the most exorbitant rates of return; and the rate of return study published by the Federal Power Commission in Statistics of Electric Utilities in the United States, 1965.

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

*Net income as percentage of invested capital of the 35 major electric utilities, 1965*

| Utility: | Percentage |
|---|---|
| Allegheny Power System | 12.8 |
| American Electric Power | 14.9 |
| Baltimore Gas & Electric | 11.2 |
| Central & Southwest | 14.3 |
| Commonwealth Edison | 12.3 |
| Consolidated Edison | 7.3 |
| Consumers Power | 11.3 |
| Detroit Edison | 12.2 |
| Duke Power | 11.4 |
| Florida Power & Light | 11.7 |
| General Public Utilities | 10.7 |
| Gulf States Utilities | 10.8 |
| Houston Lighting & Power | 16.0 |
| Illinois Power | 13.8 |
| Long Island Lighting | 10.5 |
| Middle South | 12.4 |
| New England Electric System | 9.2 |
| Niagara Mohawk | 9.7 |
| Northern Indiana Public Service | 12.5 |
| Northern States Power (Minn.) | 10.0 |
| Ohio Edison | 12.9 |
| Pacific Gas & Electric | 9.8 |
| Pacific Power & Light | 10.1 |
| Pennsylvania Power & Light | 10.5 |
| Philadelphia Electric | 10.7 |
| Potomac Electric Power | 9.5 |
| Public Service Electric & Gas | 10.9 |
| Public Service of Colorado | 10.1 |
| Public Service of Indiana | 11.4 |
| Southern | 11.7 |
| Southern California Edison | 10.0 |
| Texas Utilities | 14.3 |
| Union Electric | 10.8 |
| Virginia Electric & Power | 11.5 |
| Wisconsin Electric Power | 9.8 |

| Investor-owned utilities | Principal service area | Rate of return (percent) |
|---|---|---|
| Rate of return 10 percent or more (5): | | |
| Houston Lighting & Power | Texas | 11.32 |
| Montana Power | Montana | 11.37 |
| Nantahala Power & Light | North Carolina | 10.53 |
| New Mexico Electric Service | New Mexico | 11.78 |
| New Orleans Public Service | Louisiana | 13.30 |
| Rate of return between 9 and 9.99 percent (17): | | |
| Blackstone Valley Electric | Rhode Island | 9.34 |
| Brockton Edison | Massachusetts | 9.11 |
| Central Illinois Electric & Gas | Illinois | 9.66 |
| Central Louisiana Electric | Louisiana | 9.23 |
| Central Power & Light | Texas | 9.20 |
| Citizens Utilities | Vermont | 9.67 |
| Consolidated Water Power | Wisconsin | 9.60 |
| Edison Sault Electric | Michigan | 9.41 |
| El Paso Electric | Texas | 9.97 |
| Illinois Power | Illinois | 9.16 |
| Indianapolis Power & Light | Indiana | 9.12 |
| Iowa-Illinois Gas & Electric | Iowa | 9.07 |
| Iowa Southern Utilities | do | 9.26 |
| Northern Indiana Public Service | Indiana | 9.13 |
| Southwestern Electric Power | Louisiana | 9.06 |
| Texas Power & Light | Texas | 9.01 |
| West Texas Utilities | do | 9.51 |
| Rate of return between 8 and 8.99 percent (34): | | |
| Arkansas-Missouri Power | Arkansas | 8.14 |
| Cambridge Electric Light | Massachusetts | 8.32 |
| Central Illinois Light | Illinois | 8.63 |
| Central Illinois Public Service | do | 8.14 |
| Cincinnati Gas & Electric | Ohio | 8.55 |
| Rate of return, etc.—Continued | | |
| Cleveland Electric Illuminating | Ohio | 8.29 |
| Commonwealth Edison | Illinois | 8.56 |
| Community Public Service | Texas | 8.77 |
| Dayton Power and Light | Ohio | 8.17 |
| Detroit Edison | Michigan | 8.38 |
| Duquesne Light | Pennsylvania | 8.06 |
| Empire District Electric | Missouri | 8.30 |
| Florida Power & Light | Florida | 8.21 |
| Gulf States Utilities | Louisiana | 8.17 |
| Iowa Electric Light & Power | Iowa | 8.18 |
| Kansas Power & Light | Kansas | 8.15 |
| Kentucky Power | Kentucky | 8.02 |
| Kentucky Utilities | do | 8.69 |
| Louisville Gas & Electric | do | 8.99 |
| Michigan Gas & Electric | Michigan | 8.72 |
| Mississippi Power | Mississippi | 8.10 |
| Mississippi Power & Light | do | 8.42 |
| New Bedford Gas & Electric | Massachusetts | 8.79 |
| Ohio Edison | Ohio | 8.73 |
| Ohio Power | do | 8.16 |
| Oklahoma Gas & Electric | Oklahoma | 8.93 |
| Public Service Co. of Indiana | Indiana | 8.20 |
| Public Service Co. of New Mexico | New Mexico | 8.43 |
| Public Service Co. of Oklahoma | Oklahoma | 8.10 |
| Savannah Electric & Power | Georgia | 8.26 |
| Southern Indiana Gas & Electric | Indiana | 8.73 |
| Tampa Electric | Florida | 8.49 |
| Texas Electric Service | Texas | 8.50 |
| Upper Peninsula Power | Michigan | 8.69 |

[From Statistics of Electric Utilities in the United States, 1965]

SECTION VIII

RATE OF RETURN

This section presents the computed rates of return for 192 electric companies in their electric utility operations in the years 1961 through 1965. The companies included are those having annual electric operating revenue of $2,500,000 or more for at least 3 consecutive years in the 1961–65 period.

Rates of return were calculated on a uniform basis using information in each company's Form 1 reports. With minor exceptions, the calculations were made according to principles and practices employed by the Federal Power Commission in its electric rate regulation. The rate base is the average of beginning and end-of-year net electric plant plus an allowance for working capital. Return is equal to electric operating revenue less expenses including operating and maintenance expense, depreciation, and taxes. A detailed explanation of the method of calculating the rate of return appears below.

TABLE A.—*Number and percent of companies earning indicated rates of return, 1961–65*

| Rate of return | 1961 | | 1962 | | 1963 | | 1964 | | 1965 | |
|---|---|---|---|---|---|---|---|---|---|---|
| | Number | Percent | Number | Percent | Number | Percent | Number | Percent | Number | Percent |
| Less than 5 | 9 | 4.7 | 8 | 4.2 | 7 | 3.6 | 7 | 3.6 | 4 | 2.1 |
| 5 to 5.99 | 19 | 9.9 | 20 | 10.4 | 17 | 8.9 | 19 | 9.9 | 23 | 12.0 |
| 6 to 6.99 | 72 | 37.5 | 62 | 32.3 | 55 | 28.6 | 46 | 24.0 | 39 | 20.3 |
| 7 to 7.99 | 64 | 33.3 | 63 | 32.8 | 59 | 30.7 | 67 | 34.9 | 70 | 36.5 |
| 8 to 8.99 | 18 | 9.4 | 30 | 15.6 | 34 | 17.7 | 36 | 18.8 | 34 | 17.7 |
| 9 to 9.99 | 6 | 3.1 | 6 | 3.1 | 17 | 8.9 | 11 | 5.7 | 17 | 8.8 |
| 10 and above | 4 | 2.1 | 3 | 1.6 | 3 | 1.6 | 6 | 3.1 | 5 | 2.6 |
| Total | 192 | 100.0 | 192 | 100.0 | 192 | 100.0 | 192 | 100.0 | 192 | 100.0 |

Table A distributes the companies according to the computed rates of return. It will be noted that earned rates of return according to those calculations have generally been on the increase in recent years. The median rate of return for the 192 companies was 7.39 percent in 1965, compared with 7.33 percent in 1964 and 6.96 percent in 1961. The proportion of companies which earned less than 7.0 percent declined to 34.4 percent in 1965 from 37.5 percent in 1964 and 52.1 percent in 1961. On the other hand, 29.1 percent of the companies earned 8.0 percent or more in 1965, compared with 27.6 percent and 14.6 percent in 1964 and 1961, respectively.

The rates of return of 122 companies, or 64 percent of the total, increased from 1964 to 1965. In the latter year, the rates of return earned by 90 companies, or 47 percent of the total, were higher than in any of the preceding 4 years.

It should be noted that this review of rates of return as calculated by the Commission's staff is not intended as an evaluation of the reasonableness of the earnings of any electric utility company under the applicable regulatory standards. In many jurisdictions the statutory rate base differs from that used in the present calculations. For example, some form of "fair value" rate base is used in a number of States. Also, the treatment of income taxes differs among the various jurisdictions, principally with respect to liberalized depreciation, as does the treatment of certain other elements of cost of service. Finally, no one rate of return is universally applicable, but the allowable rate of return will differ from one company to another and among the different jurisdictions.

*Percent of return earned on rate base of 192 electric companies 1961–65*

| Company | 1961 | 1962 | 1963 | 1964 | 1965 |
|---|---|---|---|---|---|
| Alabama Power Co | 7.11 | 7.08 | 7.01 | 7.33 | 7.28 |
| Appalachian Power Co | 6.73 | 7.55 | 7.40 | 7.36 | 7.01 |
| Arizona Public Service Co | 6.65 | 6.63 | 6.23 | 5.83 | 5.48 |
| Arkansas-Missouri Power Co | 6.23 | 7.63 | 7.38 | 7.81 | 8.14 |
| Arkansas Power & Light Co | 6.53 | 6.64 | 6.84 | 7.22 | 7.75 |
| Atlantic City Electric Co | 7.00 | 6.69 | 6.75 | 6.63 | 6.92 |
| Baltimore Gas & Electric Co | 6.91 | 6.61 | 6.83 | 7.07 | 7.66 |
| Bangor Hydro-Electric Co | 6.73 | 6.98 | 6.98 | 6.98 | 7.07 |
| Black Hills Power & Light Co | 7.75 | 7.09 | 6.95 | 6.49 | 6.55 |
| Blackstone Valley Electric Co | 11.38 | 10.74 | 11.18 | 9.00 | 9.34 |
| Boston Edison Co.[1] | 6.70 | 6.88 | 7.24 | 7.07 | 7.41 |
| Brockton Edison Co | 7.78 | 7.95 | 9.63 | 8.73 | 9.11 |
| California Pacific Utilities Co | 6.01 | 5.28 | 5.66 | 6.56 | 5.82 |
| Cambridge Electric Light Co | 7.75 | 7.84 | 8.22 | 8.05 | 8.32 |
| Cape & Vineyard Electric Co | 7.23 | 7.88 | 7.84 | 8.59 | 7.95 |
| Carolina Power & Light Co | 6.73 | 6.88 | 6.98 | 7.39 | 7.68 |
| Central Hudson Gas & Electric Corp | 6.43 | 6.46 | 6.48 | 6.63 | 6.87 |
| Central Illinois Electric & Gas Co | 8.58 | 8.58 | 8.73 | 9.66 | 9.66 |
| Central Illinois Light Co | 6.30 | 7.57 | 8.12 | 8.10 | 8.63 |
| Central Illinois Public Service Co | 8.25 | 8.35 | 8.87 | 9.00 | 8.14 |
| Central Kansas Power Co | 6.20 | 6.54 | 6.42 | 7.33 | 7.62 |
| Central Louisiana Electric Co., Inc | 8.15 | 8.46 | 8.71 | 8.90 | 9.23 |
| Central Maine Power Co | 5.95 | 6.02 | 6.12 | 6.29 | 6.49 |
| Central Power & Light Co | 8.02 | 8.63 | 8.75 | 9.00 | 9.20 |
| Central Vermont Public Service Corp | 6.05 | 6.03 | 6.07 | 6.38 | 6.26 |
| Cheyenne Light, Fuel & Power Co | 9.82 | 8.65 | 8.05 | 7.15 | 6.77 |
| Cincinnati Gas & Electric Co | 8.07 | 7.28 | 7.53 | 8.07 | 8.55 |
| Citizen Utilities Co | 7.24 | 7.38 | 9.44 | 10.28 | 9.67 |
| Cleveland Electric Illuminating Co | 7.13 | 6.91 | 7.02 | 7.48 | 8.29 |
| Columbus & Southern Ohio Electric Co | 6.86 | 5.91 | 6.69 | 6.85 | 7.49 |
| Commonwealth Edison Co | 7.84 | 7.85 | 7.89 | 8.04 | 8.56 |
| Commonwealth Edison Co. of Indiana, Inc | 6.11 | 6.91 | 6.65 | 6.68 | 6.42 |
| Community Public Service Co | 8.65 | 9.14 | 9.08 | 9.34 | 8.77 |
| Concord Electric Co | 7.47 | 7.20 | 7.38 | 7.12 | 7.03 |
| Connecticut Light & Power Co | 6.69 | 6.71 | 6.65 | 6.75 | 6.88 |
| Conowingo Power Co | 4.89 | 4.90 | 5.65 | 4.99 | 6.18 |
| Consolidated Edison Co. of New York, Inc | 5.36 | 5.40 | 5.18 | 5.18 | 5.35 |
| Consolidated Water Power Co | 8.63 | 7.28 | 2.61 | 3.84 | 9.60 |
| Consumers Power Co | 6.82 | 6.73 | 6.98 | 7.51 | 7.95 |
| Dallas Power & Light Co | 7.40 | 7.98 | 9.33 | 8.44 | 7.99 |
| Dayton Power & Light Co.[2] | 7.40 | 7.52 | 7.55 | 8.03 | 8.17 |
| Delaware Power & Light Co | 6.42 | 6.73 | 7.21 | 7.48 | 7.72 |
| Detroit Edison Co | 6.84 | 7.08 | 7.43 | 7.92 | 8.38 |
| Duke Power Co | 6.78 | 7.54 | 6.98 | 7.41 | 7.90 |
| Duquesne Light Co | 7.42 | 7.51 | 7.67 | 7.93 | 8.06 |
| Eastern Shore Public Service Co. of Maryland | 6.12 | 4.80 | 5.18 | 5.44 | 5.70 |
| Edison Sault Electric Co | 9.31 | 9.59 | 9.43 | 10.00 | 9.41 |
| El Paso Electric Co | 8.36 | 8.98 | 9.20 | 9.52 | 9.97 |
| Electric Energy, Inc | 3.53 | 3.56 | 3.51 | 3.52 | 3.52 |
| Empire District Electric Co | 7.13 | 7.88 | 8.07 | 8.22 | 8.30 |
| Fall River Electric Light Co | 7.04 | 8.16 | 9.59 | 7.44 | 7.89 |
| Fitchburg Gas & Electric Light Co | 7.01 | 7.03 | 6.83 | 6.98 | 7.31 |
| Florida Power Corp | 7.54 | 8.08 | 7.87 | 7.91 | 7.97 |
| Florida Power & Light Co | 7.74 | 8.32 | 8.31 | 8.72 | 8.21 |
| Georgia Power Co | 6.88 | 7.26 | 6.94 | 7.35 | 7.41 |
| Granite State Electric Co | 7.09 | 6.38 | 5.97 | 6.35 | 7.24 |
| Green Mountain Power Corp | 6.57 | 6.79 | 6.76 | 6.76 | 6.80 |
| Gulf Power Co | 7.36 | 7.59 | 7.73 | 8.18 | 7.85 |
| Gulf State Utilities Co | 6.97 | 7.56 | 7.41 | 7.54 | 8.17 |
| Hartford Electric Light Co | 5.73 | 6.15 | 7.03 | 6.93 | 6.86 |
| Hawaiian Electric Co | 7.26 | 7.86 | 7.42 | 7.14 | 7.39 |
| Hilo Electric Light Co., Ltd | 7.91 | 8.47 | 7.43 | 8.02 | 7.57 |
| Holyoke Power & Electric Co | 10.39 | 5.83 | 5.71 | 6.00 | 5.67 |
| Holyoke Water Power Co | 10.03 | 7.30 | 7.61 | 8.03 | 7.37 |
| Home Light & Power Co | 7.56 | 7.51 | 8.01 | 8.62 | 7.20 |
| Houston Lighting & Power Co | 7.50 | 8.62 | 9.45 | 9.97 | 11.32 |
| Idaho Power Co | 6.14 | 5.83 | 6.45 | 6.62 | 6.74 |
| Illinois Power Co | 8.24 | 8.58 | 9.18 | 8.99 | 9.16 |
| Indiana-Kentucky Electric Corp | 3.67 | 3.65 | 3.64 | 3.62 | 3.73 |
| Indiana-Michigan Electric Co | 6.05 | 6.55 | 6.91 | 7.43 | 7.71 |
| Indianapolis Power & Light Co[1] | 7.95 | 8.31 | 8.26 | 8.53 | 9.12 |
| Interstate Power Co | 7.51 | 7.30 | 7.14 | 7.18 | 7.30 |
| Iowa Electric Light & Power Co.[1] | 7.73 | 8.06 | 8.06 | 7.95 | 8.18 |
| Iowa-Illinois Gas & Electric Co | 7.70 | 7.51 | 8.14 | 8.70 | 9.07 |
| Iowa Power & Light Co | 6.14 | 6.17 | 6.28 | 6.28 | 6.39 |
| Iowa Public Service Co | 6.99 | 7.06 | 7.36 | 7.25 | 7.33 |
| Iowa Southern Utilities Co | 7.08 | 7.99 | 8.09 | 8.07 | 9.26 |
| Jersey Central Power & Light Co | 6.80 | 6.52 | 6.94 | 7.03 | 7.08 |
| Kansas City Power & Light Co | 6.69 | 7.00 | 7.31 | 7.36 | 7.18 |
| Kansas Gas & Electric Co | 6.74 | 7.02 | 7.50 | 7.56 | 7.61 |
| Kansas Power & Light Co | 7.80 | 8.03 | 8.12 | 9.14 | 8.15 |
| Kentucky Power Co | 7.85 | 9.90 | 9.62 | 8.01 | 8.02 |
| Kentucky Utilities Co | 7.72 | 7.85 | 8.08 | 8.37 | 8.69 |
| Kingsport Power Co | 6.49 | 6.94 | 6.31 | 6.53 | 6.02 |
| Lake Superior District Power Co | 6.78 | 6.89 | 6.81 | 6.92 | 6.65 |
| Long Island Lighting Co.[2] | 6.97 | 6.72 | 6.41 | 7.09 | 7.42 |
| Louisiana Power & Light Co | 7.25 | 7.31 | 7.40 | 7.89 | 7.17 |
| Louisville Gas & Electric Co | 8.00 | 8.13 | 8.10 | 8.56 | 8.99 |
| Madison Gas & Electric Co | 7.42 | 7.25 | 7.50 | 7.43 | 5.83 |
| Maine Public Service Co | 7.44 | 7.03 | 8.00 | 6.85 | 5.41 |
| Marietta Electric Co | 5.98 | 5.95 | 6.35 | 6.56 | 7.02 |
| Massachusetts Electric Co | 7.87 | 5.80 | 5.43 | 5.39 | 5.92 |
| Maui Electric Co | 6.91 | 7.23 | 6.88 | 6.76 | 6.01 |
| Metropolitan Edison Co | 7.23 | 7.10 | 7.32 | 7.63 | 7.45 |
| Michigan Gas & Electric Co | 9.43 | 8.40 | 9.04 | 9.03 | 8.72 |
| Minnesota Power & Light Co | 6.08 | 6.26 | 6.27 | 6.39 | 6.65 |
| Mississippi Power Co | 7.64 | 8.11 | 7.88 | 7.78 | 8.10 |
| Mississippi Power & Light Co | 6.88 | 6.97 | 7.13 | 7.21 | 8.42 |
| Missouri Edison Co | 7.60 | 7.70 | 7.25 | 7.79 | 6.35 |
| Missouri Power & Light Co | 6.62 | 7.44 | 7.21 | 7.44 | 6.92 |
| Missouri Public Service Co | 5.82 | 6.14 | 6.17 | 6.70 | 7.11 |
| Missouri Utilities Co | 6.23 | 6.80 | 7.36 | 6.51 | 6.47 |
| Monongahela Power Co | 6.96 | 7.18 | 7.31 | 7.32 | 7.64 |
| Montana-Dakota Utilities Co | 5.34 | 5.42 | 6.42 | 6.52 | 6.76 |
| Montana Power Co | 9.78 | 10.12 | 10.24 | 10.92 | 11.37 |
| Montaup Electric Co | 5.79 | 5.64 | 6.85 | 5.85 | 5.69 |
| Nantahala Power & Light Co.[4] | 5.19 | 7.59 | 9.20 | 10.12 | 10.53 |
| Narragansett Electric Co | 4.96 | 4.77 | 4.84 | 5.18 | 5.58 |
| Nevada Power Co | 8.39 | 7.79 | 8.21 | 8.23 | 7.13 |
| New Bedford Gas & Electric Co | 7.54 | 8.12 | 7.87 | 7.20 | 8.79 |
| New England Power Co | 4.51 | 5.95 | 6.52 | 6.46 | 6.57 |
| New Hampshire Electric Co | 6.49 | 6.51 | 6.08 | 5.89 | 5.76 |
| New Jersey Power & Light Co | 6.85 | 6.66 | 6.82 | 6.75 | 6.89 |
| New Mexico Electric Service Co | 9.29 | 9.25 | 9.57 | 9.99 | 11.78 |
| New Orleans Public Service, Inc.[1] | 10.88 | 12.27 | 13.04 | 13.17 | 13.30 |
| New York State Electric & Gas Corp | 6.91 | 6.78 | 6.67 | 6.77 | 7.27 |
| Newport Electric Corp | 7.28 | 7.13 | 7.56 | 8.30 | 7.55 |
| Niagara Mohawk Power Corp | 5.66 | 5.85 | 5.82 | 5.82 | 6.36 |
| Northern Indiana Public Service Co | 8.59 | 8.38 | 8.37 | 8.81 | 9.13 |
| Northern States Power Co. (Minnesota) | 7.44 | 8.05 | 8.34 | 8.07 | 7.87 |
| Northern States Power Co. (Wisconsin) | 6.55 | 6.63 | 6.54 | 6.60 | 7.33 |
| Northwestern Public Service Co | 8.13 | 7.29 | 8.97 | 8.57 | 7.73 |
| Ohio Edison Co | 7.32 | 6.96 | 7.33 | 7.93 | 8.73 |
| Ohio Power Co | 6.59 | 6.77 | 7.26 | 7.47 | 8.16 |
| Ohio Valley Electric Corp | 4.15 | 4.13 | 4.14 | 4.10 | 4.26 |
| Oklahoma Gas & Electric Co | 6.75 | 7.47 | 8.04 | 8.13 | 8.93 |
| Old Dominion Power Co | 5.19 | 5.70 | 5.26 | 5.13 | 5.62 |
| Orange & Rockland Utilities, Inc | 6.43 | 6.45 | 6.52 | 7.00 | 7.50 |
| Otter Tail Power Co | 5.93 | 6.14 | 6.77 | 6.39 | 7.02 |
| Pacific Gas & Electric Co | 6.21 | 6.47 | 6.43 | 6.29 | 6.87 |
| Pacific Power & Light Co | 6.19 | 6.45 | 6.39 | 6.12 | 6.34 |
| Pennsylvania Electric Co | 7.13 | 6.71 | 7.06 | 7.07 | 6.95 |
| Pennsylvania Power Co | 7.56 | 8.10 | 8.40 | 7.94 | 7.86 |
| Pennsylvania Power & Light Co | 6.51 | 6.47 | 6.63 | 6.77 | 6.80 |
| Philadelphia Electric Co | 6.27 | 6.44 | 6.55 | 6.93 | 7.21 |
| Plymouth County Electric Co | 6.90 | 7.45 | 7.85 | 8.22 | 7.21 |

See footnotes at end of table.

*Percent of return earned on rate base of 192 electric companies 1961–65*—Continued

| Company | 1961 | 1962 | 1963 | 1964 | 1965 |
|---|---|---|---|---|---|
| Portland General Electric Co.[5] | 6.50 | 6.94 | 6.75 | 6.27 | 5.79 |
| Potomac Edison Co | 7.81 | 7.95 | 7.87 | 7.21 | 7.49 |
| Potomac Edison Co. of Pennsylvania [6] | 6.62 | 5.69 | 7.10 | 5.96 | 5.48 |
| Potomac Edison Co. of Virginia [7] | 5.36 | 5.51 | 5.35 | 5.46 | 5.68 |
| Potomac Edison Co. of West Virginia [8] | 6.28 | 6.19 | 6.01 | 5.97 | 5.89 |
| Potomac Electric Power Co | 6.98 | 6.73 | 6.97 | 6.62 | 6.58 |
| Public Service Co. of Colorado | 7.83 | 7.48 | 7.68 | 7.66 | 7.41 |
| Public Service Co. of Indiana, Inc | 6.48 | 6.78 | 7.06 | 7.47 | 8.20 |
| Public Service Co. of New Hampshire | 5.68 | 6.41 | 5.98 | 5.96 | 5.34 |
| Public Service Co. of New Mexico | 7.95 | 8.09 | 8.11 | 8.07 | 8.43 |
| Public Service Co. of Oklahoma | 7.17 | 7.44 | 8.00 | 7.99 | 8.10 |
| Public Service Electric & Gas Co | 7.01 | 7.22 | 7.14 | 7.04 | 7.22 |
| Puget Sound Power & Light Co | 6.38 | 6.28 | 5.36 | 5.37 | 5.59 |
| Rochester Gas & Electric Corp | 6.20 | 6.65 | 7.12 | 7.10 | 6.84 |
| Rockland Electric Co | 6.75 | 6.52 | 7.24 | 7.34 | 6.81 |
| Safe Harbor Water Power Corp | 5.12 | 5.09 | 5.06 | 5.10 | 5.06 |
| St. Joseph Light & Power Co | 8.05 | 8.06 | 8.23 | 7.86 | 7.53 |
| San Diego Gas & Electric Co | 6.39 | 6.30 | 6.31 | 6.13 | 6.50 |
| Savannah Electric & Power Co | 7.48 | 7.22 | 7.37 | 7.96 | 8.26 |
| Sierra Pacific Power Co | 8.83 | 7.99 | 8.92 | 7.55 | 6.93 |
| South Carolina Electric & Gas Co | 7.68 | 7.87 | 7.45 | 7.49 | 7.87 |
| Southern California Edison Co | 6.71 | 6.61 | 6.64 | 6.55 | 6.69 |
| Southern Electric Generating Co | 7.67 | 7.97 | 7.94 | 7.72 | 7.44 |
| Southern Indiana Gas & Electric Co | 6.71 | 6.95 | 7.63 | 8.41 | 8.73 |
| Southwestern Electric Power Co | 7.82 | 8.48 | 9.23 | 8.91 | 9.06 |
| Southwestern Electric Service Co | 6.74 | 6.76 | 7.13 | 7.28 | 7.13 |
| Southwestern Public Service Co | 7.24 | 8.01 | 8.35 | 8.56 | 7.93 |
| Superior Water, Light & Power Co | 7.65 | 7.47 | 8.05 | 7.25 | 7.55 |
| Tampa Electric Co | 7.64 | 8.33 | 8.92 | 8.89 | 8.49 |
| Tapoco, Inc | 5.64 | 5.88 | 7.63 | 6.83 | 7.14 |
| Texas Electric Service Co | 8.38 | 8.85 | 9.00 | 8.59 | 8.50 |
| Texas Power & Light Co | 8.51 | 9.06 | 9.67 | 10.22 | 9.01 |
| Toledo Edison Co | 6.32 | 6.81 | 6.78 | 7.11 | 7.31 |
| Tucson Gas & Electric Co | 7.85 | 8.32 | 7.48 | 7.69 | 7.89 |
| Union Electric Co | 6.61 | 6.60 | 6.47 | 6.66 | 6.97 |
| Union Light, Heat & Power Co | 6.48 | 5.93 | 6.04 | 6.77 | 7.03 |
| United Gas Improvement Co | 5.77 | 5.40 | 5.43 | 6.13 | 6.93 |
| United Illuminating Co | 7.22 | 7.19 | 7.52 | 7.45 | 7.79 |
| Upper Peninsula Generating Co | 3.42 | 3.47 | 3.83 | 4.87 | 3.66 |
| Upper Peninsula Power Co | 8.27 | 8.60 | 8.49 | 8.65 | 8.69 |
| Utah Power & Light Co | 6.17 | 6.20 | 6.33 | 5.65 | 6.08 |
| Vermont Electric Power Co | 5.66 | 5.39 | 5.16 | 5.17 | 5.16 |
| Virginia Electric & Power Co | 7.02 | 7.41 | 7.26 | 7.20 | 7.39 |
| Washington Water Power Co | 6.09 | 6.01 | 5.93 | 6.26 | 6.21 |
| West Penn Power Co | 7.33 | 7.57 | 7.23 | 7.43 | 7.75 |
| West Texas Utilities Co | 9.28 | 9.48 | 9.40 | 9.72 | 9.51 |
| Western Colorado Power Co | 4.83 | 4.64 | 4.72 | 4.95 | 5.19 |
| Western Massachusetts Electric Co | 6.78 | 7.52 | 7.14 | 7.54 | 7.72 |
| Western Power & Gas Co., Inc.[9] | 7.26 | 7.41 | 8.25 | 7.57 | 6.48 |
| Wheeling Electric Co | 5.89 | 5.65 | 5.40 | 5.86 | 5.58 |
| Wisconsin Electric Power Co | 6.06 | 6.12 | 6.42 | 6.70 | 7.10 |
| Wisconsin Michigan Power Co | 5.94 | 6.15 | 6.08 | 5.95 | 5.60 |
| Wisconsin Power & Light Co.[10] | 7.25 | 7.16 | 7.40 | 7.36 | 7.78 |
| Wisconsin Public Service Corp | 7.42 | 7.93 | 8.16 | 7.31 | 7.36 |
| Yakdin, Inc | 6.07 | 6.20 | 7.73 | 6.55 | 7.41 |
| Yankee Atomic Electric Co | 3.40 | 6.39 | 6.99 | 7.48 | 7.90 |

[1] Company reports depreciation for combined utilities. Rate of return for electric utility based on allocation of depreciation to electric plant on the basis of gross average total plant.

[2] Prior to 1964, the company reported depreciation for combined utilities. See note 1.

[3] Long Island Lighting Co. acquired Patchogue Electric Light Co. through merger June 1, 1964.

[4] Company made a refund of $905,658 to its customers in 1965 in accordance with a North Carolina Commission order stipulating a retroactive rate decrease for the years 1961 through 1963. The refund, net of the tax effect, has been added to 1965 net operating revenue and the applicable portions deducted from previous years incomes. The returns for 1961, 1962, 1963, and 1965 reflect this adjustment.

[5] Additional provision for depreciation reported as other interest expense is deducted from net operating revenue.

[6] Formerly South Penn Power Co. Company acquired Cumberland Valley Electric Co. Aug. 31, 1964, through merger.

[7] Formerly Northern Virginia Power Co.

[8] Formerly Potomac Light & Power Co.

[9] Formerly Western Light & Telephone Co., Inc. into which the former Western Power & Gas Co. was merged July 1, 1965. Return reflects full year operation of the acquired company.

[10] Company charges to depreciation expense an amount equivalent to the estimated reduction in Federal income taxes under sec. 167 of the 1954 Internal Revenue Code. The amount reported was for combined utilities.

The rate of return earned by each of the companies was computed on an average year rate base. The following information was used in determining the rate base and net income for this study.

*Net plant*

(1) Electric plant in service is an average of beginning and end of year balances of plant accounts.

(2) Reserve for depreciation is an average of beginning and end year balances.

(3) Construction work in progress and plant held for future use are not included in net plant.

(4) Contributions in aid of construction is an average of beginning and end of year balances.

(5) Accumulated deferred income taxes (liberalized depreciation) is an average of beginning and end of year balances.

(6) Common plant and reserve for depreciation of common plant are averaged and a net common plant determined: (1) If the company specified allocation percentages, the common plant is allocated to the electric plant on this basis; (2) If not, common plant is allocated to electric plant in the ratio of average electric plant to average total plant less average common plant.

(7) Net plant equals (1)—(2)—(4)—(5)+(6).

*Working capital*

(8) Materials and supplies is an average of beginning and end of year balances. If the company has several utility departments, a share of the materials and supplies account is allocated to electric business in the ratio that average plant plus allocated average common plant bears to average total plant.

(9) Prepayments is an average of beginning and end of year balances. If the company has several utility departments, the prepayments account is allocated in the same manner as materials and supplies.

(10) Cash working capital is one-eighth of electric operation and mainenance expenses minus purchased power.

(11) Fifty percent of Federal income taxes charged is used as an offset to working capital.

(12) Working capital equals (8)+(9)+(10)−(11).

*Rate base*

(13) Rate base equals (7)+(12).

*Net income*

(14) Net operating revenue, as reported in section II of this publication, is used in computing the realized rate of return on rate base.

(15) Provision for deferred income taxes (liberalized depreciation) is added to net operating revenue. In this study, above the line "normalized" income tax accounting is used for accelerated amortization and investment tax credit, while "flow-through" income tax accounting is used for liberalized depreciation.

(16) Net income equals (14)+(15). Rate of return equals (16)÷(13).

## STRENGTHENING OUR FEDERAL SYSTEM—ADDRESS BY SENATOR MUSKIE

Mr. BOGGS. Mr. President, on Monday, March 13, the junior Senator from Maine [Mr. MUSKIE] spoke on strengthening our federal system to delegates attending the National Legislative Conference of the National League of Cities.

Mr. MUSKIE is a former Governor, chairman of the Intergovernmental Relations Subcommittee of the Senate Government Operations Committee, and also a member of the Advisory Commission on Intergovernmental Relations. With this background he is eminently well qualified to talk with city managers and mayors on their relationship with State and Federal Governments and the kind of thinking that must be generated at all levels of government if we are to cope with the many problems besetting our cities and our States.

I heartily recommend to Senators that they read the remarks by the Senator from Maine, and ask unanimous consent that his speech be printed in the RECORD.

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

STRENGTHENING OUR FEDERAL SYSTEM

(Remarks by Senator EDMUND S. MUSKIE to the National Legislative Conference, National League of Cities, March 13, 1967)

Mayor Tollefson, Secretary Weaver, and my colleague, Senator Ribicoff, have spoken to you this morning on the need and the means for revitalizing the cities of America.

Your invitation—through your executive director, Pat Healy—indicated that this might be a good point in your proceedings for a "friend of the cities" to alert you to some of the choices and hazards that lie ahead as we seek to strengthen the cities for their role in a viable federal system.

The state of America's cities is one of the most vexing problems facing the country today. Here, in these rapidly growing urban concentrations, we find most of the Nation's people, most of our poverty and its associated ills, most of the sources of our vast national wealth, and most of the unmet public and private needs and demands of a nation approaching 200 million people.

Your organization, along with others, has identified the agonies of our cities, and you have been instrumental in focusing national and Congressional attention on them. But, while we are reaching agreement on solutions to some of the most glaring problems, we are held back by what appear to be basic differences in our philosophy of government. This has to do with our conception of the nature of federalism. It has never been very clearly defined, and mankind dearly loves a clear-cut definition.

Nevertheless, the attempt to define our unique system of government has occupied us from the very beginning. Thomas Jefferson noted that "some men look at constitutions . . . and deem them . . . too sacred to be touched . . . But I know, also, that laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed . . . as new discoveries are made, new truths disclosed, and manners and opinions change with the change in circumstances, institutions must

advance also and keep pace with the times." A century later, Woodrow Wilson set forth basic reasons for the unending character of this national debate, when he wrote:

"The question of the relation of the States to the Federal Government is the cardinal question of our constitutional system. At every turn of our national development we have been brought face to face with it, and no definition either of statesmen or judges has ever quieted or decided it. It cannot, indeed, be settled by any one generation because it is a question of growth, and every successive stage in our political and economic development gives it a new aspect and makes it a new question."

Woodrow Wilson was speaking to a nation of about 92 million people, of whom only 42 million lived in urban areas. And Wilson was speaking to a nation in which could be found only the faintest stirrings of what we now call a "revolution of rising expectations."

In our world, which has been undergoing changes more rapid and far-reaching than most of us have comprehended—in which our population has concentrated in large urban areas and radically changed its way of life—there is the tendency to cling to comfortable notions about the nature of our federal system. It is only recently that we have become acutely aware that our internal "balance of power" has shifted to these urban areas. Here, as I said a moment ago, lies the bulk of our social, economic, and political problems today.

Moreover, in spite of Rousseau's judgment that "Man herded like sheep will perish in a short time" and that "Cities are the abyss of the human race," there appears to be no let-up in the urge of mankind to go "Downtown."

What does this mean for the traditional view of the federal system as a balancing of governmental responsibilities between the Federal and State governments? I believe it means that we must recognize and give more than lip-service to urban areas as an active partner in the federal system, and by "we" I mean both the Federal and State levels of government.

I think there can be little doubt that a good many urban leaders find it difficult to get a sympathetic hearing for their mounting problems at the State capitol.

Professor Alan Campbell, of the Maxwell School at Syracuse University, states that "an examination of the data of expenditures, taxes, and State aid in metropolitan and nonmetropolitan areas demonstrates that metropolitan areas do spend more, tax more, and receive less aid than do non-metropolitan areas." Dr. Campbell finds, for instance, that metropolitan expenditures exceed those in non-metropolitan areas by 10.3 per cent, yet State aid to urban areas is a full third less than to non-urban areas.

Mayor Collins, of Boston, recently stated his view of the State's concern for urban areas this way: "I am certain they (the States) are not fully committed to the problems of our cities . . ." And Mayor Tollefson recently stated that "where the States are willing and able to accept a significant fiscal role in the execution of crucial urban programs, we are ready to discuss the States' expanded role."

At the Federal level there is increasing recognition of the plight of our overburdened urban areas. The consolidation of urban functions of the Federal Government in the Department of Housing and Urban Development, the passage of the Demonstration Cities Act, and the concentration of about two-thirds of the total of all Federal grants-in-aid to urban areas, are concrete examples of this recognition and concern.

But this is not to say that States are not still a very vital partner in this system of ours. The Constitution recognizes their important role, and assigns to them important governmental functions directly affecting our citizenry.

There is a temptation, in trying to improve the operation of our Federal system, to redefine the roles of the three partners in the system. I believe it is more important and more constructive to concentrate on strengthening the system by helping each level to realize its full potential. This involves not so much a strict delineation of powers and responsibility, as a truly cooperative effort among all levels of government.

There has been evidence of a new determination on the part of the Federal Government to help both States and local governments to realize their full potential as active partners in our federal system. President Johnson's State of the Union Message bore down on this problem. His memorandum of last November calling on Federal officials to take steps to insure closer cooperation among Federal, State, and local officials in the management of Federal aid programs offers encouragement that there may be other, more far-reaching moves to coordinate these vital programs. I hope we may look forward to the active and determined interest on the part of the executive branch in this area.

The designation of the Advisory Commission on Intergovernmental Relations as a reference service to develop improved Federal relations with State and local governments expanded the usefulness of that agency. I might say, though, that we are still waiting for the Commission to come into its own as the very important instrument it could be for the improvement of our federal system.

In the 89th Congress, as never before, there was strong evidence of widespread concern for Federal-State and local cooperation. The activities of our Subcommittee on Intergovernmental Relations, the passage of the Demonstration Cities Act, and the Comprehensive Health Planning Act, among others, as well as the introduction of a number of new legislative proposals for strengthening State and local governments, all testify to this growing appreciation of our serious problem.

The 90th Congress promises to maintain the "intergovernmental momentum" generated in the 89th. Our Subcommittee has completed its second phase of our hearings on Creative Federalism, in which we heard from several State Governors and local officials. A number of bills—several of which I have introduced—are now being considered by the Subcommittee. Among these are the Intergovernmental Cooperation Act, the Intergovernmental Personnel Act, and the proposal to establish a National Intergovernmental Affairs Council.

You are familiar with all of these bills, I am sure, for they were the nucleus of our legislative package last year. But changes have been made in some of this year's bills which I would briefly note:

First, the personnel bill includes a new title to permit a two-year interchange of personnel between the Federal, State, and local levels of government;

Second, the payments to State and local governments to strengthen their personnel systems have been increased;

Third, the bill provides for State, local, and Federal representation on a commission to study and make recommendations on merit systems and training programs; and

Fourth, the Intergovernmental Cooperation Act includes a new title to permit the President to formulate plans for the consolidation of grant-in-aid programs along functional lines and to submit these plans to the Congress for its approval or disapproval, following the procedures in the Reorganization Act.

In addition to these proposals, the introduction of numerous bills to provide for revenue sharing promises to involve the Congress in a re-examination of the fiscal relationship between all levels of government.

At this point in the discussion the desirability of directing Federal revenues to the States and, hopefully, through them to local governments is what President Roosevelt would call a very "iffy" question:

*If* State legislatures were fully responsive to the needs of communities, especially the urbanized areas and the core cities—

*If* State governments had both the willingness and the capacity to provide an adequate level of services to local governments, including the cities—

*If* local governments were adequately organized and staffed to deal with the problems of our increasingly complex urban society—and

*If* all that was needed was money to fund the operations of government at the State and local levels—

the answer might be clear.

But I see no evidence that we have reached that point. The problems remain, and so generally do the disability of State and local government. Money alone, funneled into the States, will produce no magic.

What, then, is the alternative?

I believe it to be this: Let us continue our system of Federal grants-in-aid, expand it as necessary to meet needs, and improve it as we go. At the same time, let us develop more effective ways of combining Federal, State, and local resources to meet national, State, and community needs. This calls for a candid acknowledgment of fault at every level of government and an honest effort to work together in productive ways. We should be aiming for the kind of intergovernmental cooperation that has come to be known as "creative federalism."

At the State and local levels, as I have mentioned, there are encouraging indications of activity that need to be nurtured.

The creation of offices of State coordination is one encouraging sign—admittedly not yet widespread enough to induce complacency.

Some States and localities are beginning to update tax structures and fiscal arrangements to meet their growing needs. Again, we could hope for more activity here.

There is some evidence that States and local governments are beginning to break through the straitjacket of political boundaries in dealing with such matters as transportation, economic development, and air and water pollution.

Finally, there is growing interest at State and local levels of government in areawide and regional planning.

I need not tell members of the National League of Cities that their developments, encouraging though they may be, fall far short of the level of accomplishment necessary for solution of the immense problems facing us. You would be the first to acknowledge that in many areas where we desperately need action, we are still at the preliminary discussion stage. Even where we understand the kinds of actions to be taken, we have not found the means of acting together in ways that are necessary in our complex society.

The National League of Cities can take pride in its contribution to the effort to improve government—Federal, State, and local. The Nation needs the continued dedication of your organization to the great task of adapting our federal system to the realities of our own times and of the future, insofar as we can foresee them.

For our part, we shall do all we can to insure that the Federal government does its part to make our system an effective instrument of service to all our people—and that, after all, is our ultimate responsibility as public officials.

## ROBERT ROOSA: GREATER DEFICIT FORESEEN

Mr. SYMINGTON. Mr. President, in a recent interview, Robert Roosa, former Under Secretary of the Treasury for Monetary Affairs, forecast an increasing

international payments deficit for 1967, at least $600 million more than last year's deficit measured on a liquidity basis.

The two primary factors he expects will contribute to this unfavorable picture are the increased dollar drain incident to the Vietnam war and the reversed short-term dollar flow resulting from lower interest rates in the United States.

The prospect of an increased deficit in these sectors of the balance of payments makes it imperative that the U.S. Government place even greater emphasis on improving the payments picture in other areas. Mr. Roosa suggests taking a fresh look at our troop commitments in Europe, a matter that has been on the minds of many Members of this body for a long time. In addition, Mr. Roosa states that efforts should be made to mobilize public opinion to keep wage increases at a moderate level so as not to jeopardize our price competitiveness in the world market.

I ask unanimous consent that an article published in the Christian Science Monitor based on this interview be printed at this point in the RECORD.

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

GREATER DEFICIT FORESEEN—FRESH LOOK URGED TO STEM U.S. DOLLAR LOSS

NEW YORK.—Robert V. Roosa say the United States balance-of-payments deficit can be trimmed—if the government takes a fresh look at key areas.

As things stand, however, the former Undersecretary of the Treasury for Monetary Affairs forecast an increasing international-payments deficit this year. "We can't hope to have figures as good as they were last year."

Last year's deficit on a "liquidity" basis came to $1.4 billion. Mr. Roosa said he expects it to mount this year to "at least $2 billion and maybe considerably higher."

He offered two reasons for the unhappy picture:

United States financial institutions, which faced a tight-money situation last year, sucked in dollars held overseas—so-called Eurodollars—to lend here.

Now, with money easier, some of this money will flow out again. And there may be additional "seepage."

DOLLAR DRAIN CITED

The dollar drain from the war in Vietnam will get larger.

Secretary of Defense, Robert S. McNamara recently put the annual rate at $1.25 billion. Mr. Roosa says this may be a "good interpretation of what they have to clock through."

The former Treasury aide was responsible for many important innovations in international monetary affairs during his years in Washington. Now he is a partner with Brown Brothers, Harriman & Co., a private banking firm.

Mr. Roosa said he expects an improvement in the trade balance. "The pace of the acceleration of our imports may be over if we keep the economy somewhat in check."

But he warned one shouldn't get too optimistic because of the threat of serious strikes. These would prompt additional imports to meet strike-caused shortages.

Mr. Roosa says he has no doubt that vigorous efforts are needed to cut down the balance-of-payments deficit—and soon.

"We are in a crucial year because we have just had these deficits for too long. Any reversal . . . becomes magnified, amplified. Its interpretation abroad is that this is evidence the United States is floundering, isn't trying, isn't getting anywhere. That sets off some chain reactions."

Mr. Roosa extended his arms in a wide gesture during the interview with this correspondent. "We still have enough time so that we don't necessarily have to produce miraculous results this year."

Still, there must be "additional steps" that result in a decisive decline in the deficit.

As a first move, Mr. Roosa urged reinstatement of the investment credit and accelerated depreciation. This would encourage business investment, hopefully enough to keep productivity moving up as fast as or faster than wages.

He made a second recommendation: "We need some way of mobilizing public opinion, if not government influence, to keep wage increases in check."

EXAMINATION ASKED

Otherwise, increased wage costs can push up prices and in turn discourage exports. He termed moderation in wage demands a matter of "national interest and of everybody's personal interest."

Another necessity, Mr. Roosa reckoned, is to find some way to trim the cost of keeping United States troops in Europe.

"After 20 years of holding a Maginot Line for Europe with our own troops . . . it is time that we take a look at this strategy."

Mr. Roosa made it clear he is not advocating that the United States pull out of Europe or that the United States rely on a treaty with the Soviet Union.

But a revision of the United States strategic position, he said, would save a lot of money. It would take time, with no change likely this year.

Mr. Roosa said he looks upon the United States agricultural program as another area where revisions would help solve the balance-of-payments problem—and reduce the federal budget.

PRICE SUPPORT HIT

"The notion that in this present world, where the crying need of the next 20 years above all others is for food, that we continue to have an agricultural program based on price support and income maintenance accomplished by the restriction of output, is just wrong," he asserted.

This "anachronism," he said, costs several billion dollars each year.

He urged that someone with an "inquiring, iconoclastic mind," not committed to the present program, spend several months examining agricultural policy.

"You can get more agricultural income, I am sure, by producing all you can produce, in a world that is so eager for it. This is our most productive industry. Why tie our hands behind our back when we are fighting to make exports?"

Some of these farm products could also be shipped to Eastern Europe, he added.

"I would throw agriculture open to the free market and try it for a while," he concluded.

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## THE PLIGHT OF THE AMERICAN DAIRY FARMER

Mr. YOUNG of North Dakota. Mr. President, the American dairy farmer is voicing complaints about the problem he has making a living milking cows. It is not hard to see what the problem is. While production is down, prices paid farmers for milk, also are dropping. In normal times, in such a market, prices would rise. But prices are not increasing, because unchecked imports of dairy products are cutting into U.S. dairy farmers' markets.

The dairy farmer is not asking for prices above those due him. The February 15 price of all milk sold wholesale was only 85 percent of parity.

In the March 20, 1967, issue of U.S. News & World Report, dairy farmers did not hesitate to voice their complaints. Here is what the magazine reported:

Don Quale, a dairy farmer near Madison, Wisconsin, tells how feed costs have kept climbing and says:

"You can make a profit only if you have good luck Hard luck, such as loss of a cow, can throw you."

Trouble in the dairy business is reported everywhere. Dwight Morris, a dairy farmer near Siloam Springs, Arkansas, tells this story:

"My feed costs have gone up 12 per cent in the past year. My tax bill goes up $100 to $200 every year. I've had to raise my hired man's pay by $10 a week. Detergents used to clean equipment are up a dollar per 25 pounds. Price of disinfectant has gone from $3.25 to $3.85 a gallon."

Mr. Morris farms on a large scale, milking an average of 120 cows. He said his capital investment is $200,000.

While costs are rising, prices are dropping, reports Mr. Morris. Like most dairy farmers, he belongs to a co-operative that markets members' milk under a federal milk-marketing order. Under the order in effect for his co-operative, says Mr. Morris, the price he gets for his milk is scheduled to drop by around 75 cents per hundredweight between January and August of this year.

Farm leaders say that the White House is standing by while a flood of imported dairy products drives U.S. milk prices down. If it were not for this, they maintain, the price of milk would be rising because U.S. output has been cut sharply by the exodus of so many dairy farmers from the business. Nearly 100 Senators and Representatives are backing a bill to place import quotas on dairy products into the U.S.

The situation, according to W. D. Knox, editor of Hoard's Dairyman at Fort Atkinson, Wisconsin, is this: "U.S. milk production has dropped by around 4 billion pounds a year. But imports of dairy products tripled from the equivalent of 900 million pounds of milk in 1965 to 2.7 billion pounds in 1966, and could go as high as 4 billion pounds this year. Much of the imported material is coming from the Common Market countries of Europe and is made possible by heavy subsidy from governments of those countries."

The Dairy Import Act of 1967, which now has 46 Senators, including myself, listed as cosponsors, would offer protection to the dairy farmer. It limits the imports to the average butterfat and nonfat milk solids shipped in from 1961 through 1965, allowing importers to share in market gains. The bill protects a part of the market for foreign producers, and at the same time protects this country's dairy farmers and consumers. No major farm product is having to compete with unlimited foreign imports, and there is no reason why the dairy industry should be under such a handicap.

Unless something is done, the dairy industry of this country will continue to decline with more farmers selling their herds and, in the end, the consumer will be faced with short supplies and high prices.

The passage of the Dairy Import Act of 1967 will put an end to this unfair competition, and will provide our dairy farmers with the incentive to continue producing milk.

## SCHOOL DESEGREGATION GUIDELINES

Mr. HART. Mr. President, on March 10, the U.S. Court of Appeals of the Fifth Circuit is scheduled to rehear en banc seven cases in which a three-judge panel of that court, on December 29, 1966, upheld the legality of the Department of Health, Education, and Welfare's school desegregation guidelines.

I hope and expect that the full court will reaffirm the basic rulings of the panel: that the only relief for children in the schools involved "is the conversion of the still-functioning dual system to a unitary, nonracial system—lock, stock, and barrel" and that HEW's guidelines are fully "within the scope of the congressional and executive policies embodied in the Civil Rights Act of 1964."

A comparable decision by the full court will, I believe, not only vindicate the Department and Commissioner of Education, Harold Howe II, but also clarify for the Nation our intentions in enacting title VI of the Civil Rights Act of 1964.

In title VI, we expressly prohibited racial discrimination by any school or any other recipient of Federal aid and gave to the Department and other Government bodies that administer the law the authority to withhold funds where school districts engage in discriminatory practices. The school guidelines do no more than carry out our intent. It is a measure of the care and restraint with which the Office of Education has proceeded that as of now it is withholding funds from only 35 of the 1,750 school districts in the Southern and border States.

Under these circumstances it strikes me as unconscionable that Commissioner Howe is still subject to attacks and abuse because he is attempting to carry out his obligations to enforce a law of Congress. In a sense, of course, such attacks are a compliment. They are evidence that Commissioner Howe's efforts in behalf of ending the dual school system are having some effect. Still, the attacks upon him and the guidelines must not be allowed to go unchallenged. When prominent voices criticize and even vilify a public official for doing no more than his office requires of him, other officials become timorous and good men who may be offered appointments to governmental posts grow wary of accepting them.

I am glad to say that Commissioner Howe has found defenders in the public press. Not only in the north but in the south as well. The Louisville, Ky., Courier Journal, for instance, has called him, correctly—

> One of the most competent, literate and imaginative Commissioners of Education ever to serve in Washington.

The Greensboro Daily News suggests the hypocrisy that underlies the attacks upon Mr. Howe by pointing out how jittery North Carolina education officials become at the suggestion that they share the responsibility for enforcing title VI.

I ask unanimous consent to have printed in the RECORD a selection of editorials and articles which describe the unwarranted attacks on the guidelines and support Commissioner Howe in his stand.

I hope Senators will read them, reflect upon them, and give their own support to Mr. Howe, realizing that in defending him, we defend our own best efforts to put an end to racial discrimination in this country.

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

[From the Baltimore Sun, Oct. 5, 1966]

GUIDELINES

It should not be overlooked that almost all of Education Commissioner Harold Howe's critics are men who opposed the creation of any school desegregation guidelines to begin with. They would be opposed to any efforts made by the Office of Education, no matter how moderate. It should also not be overlooked that the same people who today are saying that the Office of Education is exceeding its authority said in 1964, in debate on the bill that gives the Government the power to establish guidelines, that the bill gave the Government even more authority than it has so far chosen to use.

The attacks on Mr. Howe are political in the bad sense of the word. They are cynical. For just one instance, the Southern congressmen who are now complaining that there might be busing of school children have for years approved of busing Negro children for distances of up to 100 miles a day to keep them out of the "neighborhood schools" to which they now profess such devotion.

What most of Mr. Howe's critics oppose is really desegregation of schools. That is their privilege. But in 1954 and 1955 the Supreme Court ruled that schools segregated by law—dual school systems—are unconstitutional. In 1964 the Congress voted overwhelmingly to accelerate the pace of desegregation by using that most potent of weapons, Federal aid money. Now, in 1966, the Office of Education is following procedures that are, in Nicholas Katzenbach's words, "moderate, perhaps even tardy." The best evidence that the charges being made against the guidelines are merely political is that some 1,700 Southern school districts have complied with them with no difficulty.

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[From the Boston Globe, Oct. 4, 1966]

THE LAW AND DR. HOWE

U.S. Education Commissioner Harold Howe II, former principal of Newton High School, has been subjected to some unpardonable invective by congressmen unsympathetic with his efforts to speed the process of public school desegregation.

Most shameful of all was the charge by Rep. L. Mendel Rivers (D-S.C.) that Dr. Howe "talks like a Communist." This was a flagrant abuse of Congressional immunity.

Fortunately, Dr. Howe can take care of himself. He is too good an educator, and too big a man, to be permanently harmed even by such vicious neo-McCarthyism as Rep. Rivers has stooped to.

But these attacks pose a clear and present danger to the law Howe has been endeavoring to carry out—Title VI of the Civil Rights Act of 1964, which calls for the withholding of Federal funds from school districts (and other units of state government) which persist in the practice of segregation.

Segregationist congressmen like Rivers, aided and abetted by a number of Northern congressmen who seek political advantage in "white backlash," are bent on watering down this law by selling their fellow congressmen on withholding funds for its implementation.

An examination of their principal charge against Howe shows the speciousness of their position. He is said to have promulgated school desegregation guidelines which (in the words of Sen. Robert Byrd, West Virginia Democrat) subordinated "the real matters of education to an advocacy, a seemingly reckless advocacy, of racial balance."

But as Dr. Howe pointed out in testimony before the House Rules Committee, the guidelines neither mention nor require racial balance. If they did, it would scarcely be true—as it is—that some 2000 Southern school districts have already qualified for Federal funds under the guidelines. Much of the school integration achieved in the South has involved relatively small numbers of Negro children per school, not wholesale mixing.

Dr. Howe's real sin, in the eyes of his congressional detractors, is not that he is promoting wholesale mixing, because he is not. It is that he is doing much too good a job of carrying out Congress' intent in enacting Title VI of the Civil Rights Act of 1964.

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[From the Washington Post, Oct. 7, 1966]

BACKFLICKER

(By Joseph Kraft)

Right now it is the biggest thing going in American politics—bigger even than show biz.

But while it shows itself everywhere and keeps recurring, it has no staying power, no steadiness at all. Rather than backlash, it should be called backflicker.

For the time being, no doubt, the flickering is intense. Covert hostility to the Negro, expressed in the form of denouncing crime and riots as though someone else favored them, used to be the exclusive property of the Goldwaterites inside the Republican Party.

Now it has become the official Party line, blared even by former President Eisenhower.

On the Democratic side, anti-Negro sentiment has beat long odds in gubernatorial primaries in Maryland and Georgia. Governor Brown is running for re-election in California as if he were Mr. D. A. The one Democrat to take a strong stand against racism, Rep. Charles Weltner of Atlanta, who has quit his contest for re-election rather than support a segregationist candidate for Governor, is about as popular with his colleagues as Stokely Carmichael.

Inevitably the sentiment that has swept the two parties has dominated the tail-end of the congressional session. Anti-Negro feeling is the main reason why the civil rights bill was beaten in the Senate in the vote on cloture; why appropriations for the poverty program have been cut back; why the Demonstration Cities bill is in trouble in the House; why there has been a reaction against desegregation of Federal hospitals; and why there has been savage bullying of the Commissioner of Education, Harold Howe II, for what he has said (not done, but said) about school segregation.

Still the mood of the present is not going to last. Ugly as it may be, it tends by its very nature to be fitful, indeed to show itself strongly in primaries, and to fade for general elections. And not by any accident, but for good and identifiable reasons.

The reason is that hostility to the Negro works to compound, not to solve any of the undoubted problems in the country. Consider, for example, the case of education. A superb report on Equality of Education just now issued by the Office of Education challenges many of the usual assumptions about the school system in the Nation.

In particular, it suggests that the key element in student performance is not the school as much as the home, or general cultural background. With respect to what the school can do, the finding is that Negro performance is not much improved by better libraries, or laboratories, or even better teachers. The main requirement is association with whites. The report says: "If a minority pupil from a home without much educational strength is put with schoolmates with strong educational background, his achievement is likely to increase."

Thus as long as education remains segre-

gated, Negro performance in the schools is likely to stay low. That means dropouts, unemployment, crime and riots. Thus the more segregation is practiced, the worse the basic problem becomes.

Similarly with the problem of the cities. Cars, trucks and planes have made it increasingly easy for companies and people to locate where they please instead of where raw materials and labor are available.

As a result, towns under 50,000 in the industrial heartlands are decaying. Larger cities of over 500,000 along the coasts are sprawling into huge, overcrowded metropolitan spreads burdened by intense competition for residential space among different ethnic groups embittered by congested streets, schools and hospitals, and bad water and air.

The way to solve that problem is not by fencing in Negroes. It is to develop a new approach to the construction, lay-out and rebuilding of cities so that urban dwelling can be made more satisfying for more people—the exact program of the Demonstration Cities bill. But the more action is delayed, the more the problem will become acute, and the most pressure for the Demonstration Cities bill or some variant will grow.

In sum, racial ugliness has an intrinsically seasonal character. Insofar as public energy is directed against the Negro, the serious problems of the Nation only deepen.

The deepening problems serve to recall the Nation's attention from the diversion of race feeling to the underlying issues. And the interesting question now is whether race tensions will subside fast enough to permit new approaches to national problems while there is still room to maneuver.

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[From the Atlanta Constitution, Sept. 22, 1966]

SACRIFICE OF CHILDREN

(By Ralph McGill)

A cold-blooded, calculating willingness to sacrifice children and their future for a long time has been the ingredient of the more egregious distortions of facts by political persons on the make for votes.

An illustration is the educational guidelines.

They are being attacked by most exaggerated falsehoods. Some are so preposterous as to make one wonder if those delivering them have any shred of political principle or concern for the educational future in their states.

It now is well understood that public money may not be spent to maintain or permit segregated public facilities. The guidelines do nothing more than say that to be eligible for federal aid a school system must obey the laws made by the Congress of the United States and the decisions of courts declaring these laws constitutional.

NO FEDERAL CUT-OFF

The federal government does not "cut off" funds from a school district or state. Certainly none would insist that a government agency continue funds to school districts that willfully violate the law. To do so would subject agency officials to arrest and conviction. If there is any "cutting off" of funds it is done by the law-defying local boards.

There is no national outcry against the guidelines. Political and demogogic agitation is largely confined to six deep South states. Those persons urging defiance of the guidelines, the sole purpose of which is to give the best education possible to all the children, confess thereby that they are willing to sacrifice the children to inferior education—to discriminate against the children of their own district or state by perpetuating the present system of inferior opportunity. They are willing to do this to children because they think it may win them votes from those who do not understand the simple fact of the guidelines or who are so prejudiced as to be willing for their children to have less educational opportunity.

Today, after nearly a century of trying to support two inferior school systems with taxable income that will not pay for one good one, the facts of our educational life are before us.

BELOW AVERAGE

Our public school system has advanced. But in all aspects it is below the national average in payment to teachers, in money spent per pupil. There is a national shortage of teachers. It is worse in the deep South states. Georgia's payments to teachers are lower than those of Alabama and Florida. South Carolina, Arkansas, Mississippi, and South Dakota pay teachers less than the other 46 states. In higher education only one Southern institution, Duke, meets even the minimum salary for faculty as set by the American Association of University and College Professors. Our graduate schools are not listed among the nation's best. Our state institutions annually drop out a high percentage of freshmen poorly prepared in the state high schools. We are on the way, but meanwhile, political leadership seeks to halt advancement and destroy what has been achieved.

We may ask, weighing the falsehoods and those who preach them, if that is what we want for our children. They increasingly face an educationally dominated competitive life. Are the diehard racists so cruelly prejudiced they will sacrifice their own children just to be sure a Negro child isn't in the school?

They can't win. Their proposals clearly are unconstitutional. All they can do is create chaos and further reduce the quality of education.

Yet, in six Southern states there are men who seemingly will do anything, however destructive to the present and future of education, if they think they can arouse fear and prejudice and thereby attract votes. History will write its judgment of such men as it has written it of their counterparts in the past.

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[From the Atlanta Constitution, Oct. 6, 1966]

A GUIDE TO THE GUIDELINES

(By Eugene Patterson)

The poor, forgotten school superintendents of Georgia and their local boards of education are paying the price for the guidelines game the politicians are playing. The school people are trying to honor the law, educate children, and if possible, survive. Heedless office-seekers are trying to win votes regardless of the damage they may do.

Riding the backlash, Southern politicians have staged a regular tournament in Washington, setting up Education Commissioner Harold Howe for everybody to take a run at. Mr. Howe has shown an uncommon ability to avoid being unhorsed and to keep the record straight in the face of misrepresentation.

It is the local-level school people in Georgia who are unable to speak for themselves. No prudent ones would dare to.

Not simply in Washington, but on the campaign trail in Georgia, the state's political poohbahs are exhorting the hosts to rise up against desegregation guidelines which local school people have been trying to tell them they must live with.

A county school superintendent who has persuaded his community to comply with a minimum of desegregation, as it was spelled out to him, must feel pretty defenseless to find both candidates for governor now stirring up passions in breasts he tried to pacify.

It is small service to the educational good of the state for the politicians to do this. And while it is unrealistic to expect them to lay off of an emotional issue when emotional issues decide elections, the people may as well see plainly what a bind their school officials are being caught in.

The law forbids them to segregate schools on account of race. It directs the Office of Education to cut off federal funds if they do. The law was handed to Howe to enforce.

He would have hoped school people would comply without being forced. But in most places they couldn't move, unless they were forced to move, because political opinion wouldn't let them move.

When Howe pressed them to move into compliance with the law, they demanded to know how much was enough.

So he laid down guidelines suggesting how much would be accepted as enough—and they accused him of trying to dictate illegal quotas.

He wasn't trying to go beyond the law and dictate quotas, he patiently explained. He was simply trying, with his guidelines, to give local school people some rough guide as to how much desegregation would be accepted on its face as enough.

No school had to come up to that quota, or stop at it.

It was simply a measurement he would use in checking off schools automatically as being in compliance.

Schools falling short of the guideline figures might be investigated, then judged in compliance. (The fact of the matter is, any school that has made almost any kind of good faith start toward compliance is being certified by Howe.)

Hobbled by plenty of federal bureaucratic incompetence, he is trying to find reasonable ways to guide local school people toward compliance with a law Congress passed, and the layer of politicians between them isn't being much help.

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[From the Washington Post, Sept. 29, 1966]

REACTION

An ominous and dangerous reaction has gripped the country. Its immediate pretext, of course, is the riotous disorder that has afflicted so many American cities in recent weeks. But it is, nevertheless, a reaction not alone against rioting but against race as well. It is, in truth, a reaction against extending to Negroes the civil rights that belong to all American citizens. And the apt and inescapable term that must be applied to all who participate in such a reaction is reactionary.

The signs of it are everywhere. They were evident in the defeat of the Civil Rights bill. They are readily discernible in the apathy about home rule for the District of Columbia. The primary triumphs of George P. Mahoney in Maryland and of Lester Maddox in Georgia are glaring examples of the reaction. But the most dismaying indication of all is the turnabout in the Senate over the Administration's desegregation "guidelines"—and particularly Senate Majority Leader Mike Mansfield's defense of that turnabout.

The Senate on Tuesday approved overwhelmingly a rider on an appropriation bill which would authorize white Medicare patients to occupy hospital quarters separate from Negroes, if doctors say it will contribute to their health. No one can seriously doubt that this means the continuance of segregated hospitals at least in the deep South. And it endorsed an Appropriations Committee report denouncing the HEW guideline for school desegregation. Senator Mansfield on Wednesday endorsed this action at least as to hospitals. "I think they have gone too fast," he said.

Too fast? In the decade that passed between the Supreme Court decision that school segregation violated the Constitution and the congressional enactment of the 1964 Civil Rights Act, fewer than two per cent of the Negro children in the 11 states of the deep South were admitted to schools attended by white children. A year after adoption of the Civil Rights Act, six per cent of the Negro children in those states were in classes with white children. There are 1800 school districts in the South with over a million

school children which still, today, maintain dual school systems. It is monstrous for the Government of the United States to continue financing this outright defiance of the Constitution.

Congress and the President and the county came to a recognition in 1964 that the deep South was going to obey the Constitution only if the Federal Government required it to do so. That is why Congress passed the 1964 Civil Rights Act, implementing it with Title VI which forbade the distribution of Federal funds to segregated hospitals and schools. The Department of Health, Education and Welfare has not been too fast in applying the plain terms of Title VI. Congress meant them to be effective. If anything HEW has been too cautious and too slow. Segregation is still the rule rather than the exception in the South.

Senator Mansfield should know that the stand he takes on enforcement of civil rights is widely assumed to be the Administration's stand. President Johnson and Secretary Gardner should lose no time in disowning the decision and in dissociating themselves from the reaction.

The Civil Rights Acts were not passed by Congress as largesse to Negroes. They were passed as indispensable to the health and welfare and sense of justice of the whole American people. To retract them now for the purpose of punishing a few Negro leaders who mouth slogans about "black power" is to injure the whole Negro race insensately and, indeed, to injure the whole American people. It is, in point of fact, to let national policy be determined by a reaction to Stokely Carmichael. And this is reaction in its most foolish and flagrant form.

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[From the New York Times, Oct. 9, 1966]

HOWE RETORTS TO HIS CRITICS

The pent-up fury over Federal enforcement of school desegregation, as mandated by the Civil Rights Act of 1964, appeared to have found its target in United States Commissioner of Education Harold Howe 2d. On the House floor, a week ago, the Yale- and Columbia-educated official was labeled "an idiot" and "ignorant" by an angry Southern Congressman. Although the discourtesies in the Rules Committee, which questioned Mr. Howe for two days, were less flagrant, the atmosphere was hardly congenial.

Through it all the tall, tweedy, commissioner puffed at his pipe and answered questions without impatience. Suddenly, last Tuesday he stopped his questioners in their tracks by telling them that he planned to have his legal staff explore the possibility of letting the states themselves assume responsibility for enforcement of the guidelines. The proposal was embarrassing to the Southerners whose accusations had clearly been designed to turn the commissioner into the personification of the Federal policeman.

Although this was not spelled out and is not likely to be admitted by Southern politicians, the proposal means that the policing would be handed to the State Superintendents of Public Instruction.

In contrast to most of the rest of the country, Southern chief state school officers are elected officials. With the prospect of going back to the voters, they are not likely to relish taking over enforcement of the desegregation law and drawing the ire now reserved for Federal field agents.

By the end of the week, the anti-desegregation forces had changed their tactics. As the House prepared to vote $5.8-billion for the elementary and secondary school aid over a two-year period (compared with the Senate's authorization of $6.4-billion) it struck from the bill a provision that would have given special bonuses to school systems intent on correcting racial imbalance.

Going beyond this step, the House added an amendment prohibiting the commissioner from demanding the assigning or busing of pupils or teachers in order to overcome racial imbalance.

Finally, in order to reduce the commissioner's powers, the House added a new requirement of special hearings before the Federal Government. This may stop Federal funds from going to school systems which are violating the desegregation guidelines.

F.M.H.

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[From the New York Times, Sept. 30, 1966]

SEGREGATIONIST COUNTERATTACK

Emboldened by the defeat of the civil rights bill and by rising hopes of a white backlash, Southern segregationists are apparently abandoning their posture of passive resistance in favor of an open counterattack. Their fire is at the moment aimed principally at those officials in the Department of Health, Education and Welfare who are charged with the enforcement of the desegregation guidelines in the administration of Federal funds to schools and hospitals. The prime target now is Harold Howe 2d, the able United States Commissioner of Education, who has been referred to as Commissar of Integration on the floor of Congress and whose public statements have been distorted and misquoted in the Congressional Record in an undercover campaign of psychological warfare.

The Southern complaint is that H.E.W. is moving "too fast" in pressing for desegregation of schools and hospitals. Yet, it is clear that the Department is doing no more than its duty as prescribed by Congress itself through the Civil Rights Act of 1964.

Indeed, statistics indicate that, far from moving too fast, the department may be erring in the other direction. The fact that Federal funds have been withheld from only 89 of a total of 7,000 hospitals and from 74 of a total of 1,800 school districts in the formerly segregated areas is testimony of substantial, perhaps excessive, Federal leniency rather than of general Southern compliance with the integration order.

It is evident that Mr. Howe's Southern detractors are not asking for moderation, but for inaction. To slow down the present pace of desegregation would bring all progress to a full stop. This fortunately is not, as Senator Mansfield has said, "the mood of Congress" but of a powerful minority in and out of Congress. Surrender to that minority would be a national tragedy.

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[From the Washington Post, Oct. 1, 1966]

TURNING BACK THE CLOCK

Education Commissioner Harold Howe II has been selected by the congessional delegation from the Confederacy as the special victim of the lynching bee they have launched on the civil rights program. Yesterday he was hailed before it for a hazing by the House Rules Committee—a body which has about as much jurisdiction in this area as the Committee on Merchant Marine and Fisheries. He gave a good account of himself—as he has done from the beginning of his stewardship in the Office of Education.

It is not really Mr. Howe that the Confederates want to get; he is simply a scapegoat. Their true target is Title VI of the Civil Rights Act of 1964, the portion of the Act requiring the Department of Health, Education and Welfare, or any other Federal agency, to withhold Federal funds from any school system continuing to operate on a basis of racial segregation. The Commissioner issued a set of "guidelines" for local school districts designed to help them come into conformity with Federal standards. These guidelines were no more than a cautious, conscientious effort to carry out the clear intent of Congress.

Commissioner Howe has been subjected to the ugliest sort of vituperation in the House and in the Senate. Rep. L. Mendel Rivers, with a ferocity and vulgarity extraordinary even for him, called the Commissioner an "idiot" and said that he "talks like a Communist." Senator Robert Byrd voiced a baseless complaint that Mr. Howe's guidelines subordinated "the real matters of education to an advocacy, a seemingly reckless advocacy, of racial balance." The Commissioner answered this charge forthrightly in his testimony before the House Rules Committee:

"The guidelines do not mention and do not require 'racial balance' or the correction of racial 'imbalance.' Nor have we in the administration of our obligations under Title VI sought to establish 'racial balance.' They deal only with desegregation plans designed to eliminate the dual school systems for whites and Negroes, systems being operated in violation of the 1954 Supreme Court ruling."

The men attacking Commissioner Howe are men who attacked the Civil Rights Act of 1964 in general and Title VI in particular. They now see an opportunity in the reaction to urban riots and to the cries of "black power" to bring about a repeal of Title VI by denying funds for its implementation. They want to turn the clock back—just as it was turned back in the post-Civil War period after the enactment of the civil rights laws of the 1870s. The consequences of that reaction were disastrous. They took the form of Jim Crow laws and the development of the Ku Klux Klan in the South and the later creation of Negro ghettoes in the North. The country is paying the price of that folly today.

The attack on Harold Howe and on Title VI needs to be stopped in its tracks now. It is an attack on progress and justice, an attack on the first effective measures to end racial discrimination in the United States. President Johnson ought to come resolutely to the defense of a Commissioner of Education who has simply endeavored to carry into effect a congressional mandate and an Administration policy.

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[From the St. Louis Post Dispatch, Oct. 4, 1966]

SEGREGATION SMEAR

It takes very little courage and/or sense of decency to hide behind congressional immunity on the floor of the House and attack a federal employe as a "misfit," an "idiot" and "ignorant" and to assert that "this man talks like a Communist." That is what Representative L. Mendel Rivers of South Carolina did with reference to Commissioner of Education Harold Howe II.

Representatve Rivers seems to be serving as hatchet man for Southerners and some Northern Republicans opposed to the way in which the Office of Education, under terms of the 1964 Civil Rights Act, withholds some federal aid to prod reluctant school districts to desegregation. His unwarranted personal attack was aimed at a man who is a Yale graduate, former school superintendent at Scarsdale, N.Y., and director of a private research organization in North Carolina.

The attack on Mr. Howe at least did not go unanswered. Representative William Fitts Ryan of New York, visibly angered, said, "I had thought the days of McCarthyism were gone." So had the nation.

The technique of vitriol and smear only distorts the issue involved. Is the Office of Education exceeding Congressional intent in enforcing school desegregation? Mr. Howe's answer is that the official guidelines provide only for a start, do not require instantaneous desegregation of every school and do not require "racial balance," as his critics charge.

Senate Majority Leader Mansfield was more emphatic. Explaining that he was misunderstood in reports that he thought the Government was going too far too fast, he

said, "If anything it (desegregation) is too slow." Senator Mansfield observed that scarcely 10 percent of formerly segregated schools were being integrated even on a token basis. No doubt the Office of Education guidelines can stand open debate, but if the Office were satisfied with the present pace, it would not be doing its job.

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[From the Grand Rapids (Mich.) Press, Oct. 5, 1966]

AN ATTACK ON PROGRESS

The same voices raised in Congress against the Civil Rights Act of 1964, and the limited gains it made toward equality of education, are being raised again, this time against Harold Howe II, the United States commissioner of education.

Called before the House Rules Committee to defend segregation eliminating rules he had issued and which must be complied with by school districts to get federal funds, Howe was subjected to a torrent of abuse. The worst came from Rep. L. Mendel Rivers, South Carolina Democrat, who called the federal commissioner "an idiot, an ignorant misfit who talks like a Communist."

With the calm reason that has been typical of his compliance with the terms of title VI of the Civil Rights Act of 1964—requiring federal agencies to withhold federal funds from any school system continuing to operate on a basis of racial discrimination—Howe had a forthright answer for Rivers.

"The guidelines issued by the Office of Education," explained Howe, "have dealt only with desegregation plans designed to eliminate dual school systems for whites and Negroes, systems being operated in violation of title VI of the Civil Rights Act of 1964 and in violation of the 1954 Supreme Court ruling. The guidelines issued to public school systems were no more than a cautious, conscientious effort to carry out the clear intent of Congress."

It jut isn't true, Howe replied to his critics who charged that Howe's department was preparing legislation to carry out a reported multi-billion-dollar busing scheme to force racial equalization in schools across the country.

In some circumstances school busing may be worth trying, said the undaunted Howe, "and I'm glad some school systems have. But this is something we need to know a lot more about . . . This is a matter of local feeling."

There can be no quarrel with Howe's goals for schools: "To make all schools better—especially those in central-city areas "whether they're all white or all black or mixed" and to seek, "with local initiation, some solution to the problem of segregation."

The common sense demonstrated by Howe was not enough to bank the fires set by those who deliberately misrepresent his goals.

Congressmen on both sides the political aisle have come to Howe's defense. It will take resolute determination on their part to resist the hard-riding forces of reaction that would deny Americans equality in education and opportunity.

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[From the Baltimore Afro-American, Oct. 18, 1966]

THEY WANT TITLE VI REPEALED

Convinced that their hand has been strengthened by the Senate's rejection of the 1966 civil rights bill, the Dixiecrats have opened up a no-holds barred campaign on the 1964 Civil Rights Act.

They would be completely helpless in their effort to turn the civil rights clock back if it were not for willing assistance they are getting from Goldwater Republicans and backlash-intimidated Democrats.

Their initial attack is on Title VI, the oft-maligned brainchild of Rep. Adam Clayton Powell. That title prohibits the expenditure of federal funds to any agency, program or institution which practices racial discrimination.

They pretend that the very able United States Commissioner of Education Harold Howe II is their target.

Their contention is that Mr. Howe in his zeal to enforce the statute, is going faster and further than Congress intended when the law was adopted two years ago.

A shrill chorus of invective has been loosed against Mr. Howe and the reasonable guidelines he established for school officials to comply with the law.

The outcry is as phony as the oft-parrotted accusation that he is going beyond Congress' intent in trying to make the law work.

Just how phony is shown by the fact that the U.S. Fifth Circuit Court of Appeals has already decreed that Mr. Howe's guidelines would be, not the maximum, but the barest minimum acceptable for school districts to be in court compliance with the act.

Since the Fifth Circuit covers Alabama, Georgia, Mississippi, and Louisiana, it is clear that getting Mr. Howe's scalp will provide no escape in these states from the persuasion of the guidelines.

It is reasonably certain that the Fourth Circuit, soon to receive a similar challenge from South Carolina, will be guided by the fifth Circuit's precedent in upholding the guidelines.

A decision by the Fourth Circuit would supply the same judicial base for Mr. Howe's guidelines in Virginia, North and South Carolina that now stands in the Deep South states.

What the Southerners want, of course, is not so much revision of Mr. Howe's guidelines, but repeal of the law itself. They want it repealed, not because it is working hardships in their school districts, but because it is working too well.

By the fury they unleashed in Congress, few people realize that of 1,800 formerly segregated school districts, Mr. Howe had withheld Federal funds from only 74 which stubbornly had refused to obey the law.

Twelve years after the Supreme Court school decision, the vast Americans know and accept the fact that segregated schools are illegal.

Yet the House with northern help the other week adopted 220 to 116 a Dixiecrat amendment to the school aid bill barring Mr. Howe from immediately "deferring" aid funds.

Instead he would have to make a formal charge and then conduct a 110-day hearing to "prove" that the offending school district is still segregated. The district would still receive the Federal grants while continuing to thumb its nose at Uncle Sam.

Even bolder attempts to reverse the course of history can be expected. They must be summarily rejected. The noisy segregationists actually represent but a tiny minority. They do not merit serious attention.

To bow at this late date to their strident demands would not only be tragic; it would be to flirt dangerously with national disaster.

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[From the Greensboro (N.C.) Daily News, Oct. 8, 1966]

NO ONE CALLS

The jittery and, to say the least, guarded reaction of North Carolina public education officials to Education Commissioner Harold Howe's abrupt proposal to turn guideline-making over to the states illustrates an old and distressing fact of federal-state relations.

The truth is that it is easy to decry the inequities of federal control and paternalism. But when it comes to the point of accepting some decentralization of responsibility, state officials are usually found gunshy. Thus Superintendent of Public Instruction Charles F. Carroll, though a vocal critic of the federal guidelines, fails to say whether he would like to replace Mr. Howe on the hotseat. And evidently the state attorney general's office finds no shortage of legal reasons why the responsibility for ending school discrimination could not be assumed by the state board of education.

If these state officials suspect, at bottom, that the task of implementing the civil rights acts as they affect schools is not an easy task they are quite right. That is, however, no valid reason for failing to respond to Mr. Howe's proposal—offhand or not. But it is a revealing commentary on the process by which so much initiative in local and state government flows, by default, to Washington.

Maybe Mr. Howe was only bluffing. But if so, he has bluffed his critics right out of the game.

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[From the Louisville Courier Journal, Oct. 3, 1966]

MR. HOWE DESERVES STRONG SUPPORT

Harold Howe II is one of the most competent, literate and imaginative Commissioners of Education ever to serve in Washington. Yet he was attacked the other day on the floor of the House of Representatives as a "man who talks like a Communist" and was called an "idiot, a misfit and ignorant."

The attack came from Representative L. Mendel Rivers of South Carolina. Commissioner Howe was the target of this scurrilous attack because he has the job of carrying out the 1964 Civil Rights Act and speeding up the racial desegregation of schools, which everyone knows is proceeding at a snail's pace. Mr. Rivers, of course, and most of his Southern colleagues, don't want it to proceed at all. Their tactic now is to charge that the guidelines announced by Commissioner Howe go "beyond the intent" of the law. Their evidence to support this frequently-heard charge is unimpressive.

Commissioner Howe's able predecessor, Francis Keppel, also was the object of bitter attacks of this sort. It has become an occupational hazard of a job that for so many years was relatively uncontroversial. This is all the more reason for President Johnson and responsible members of Congress to stand firmly behind Commissioner Howe and make their support clear in no uncertain terms.

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[From the Louisville Courier-Journal, Oct. 10, 1966]

HAROLD HOWE CHALLENGES HIS TORMENTERS

Harold Howe II, the U.S. Commissioner of Education, last week made a suggestion, in an almost off-hand fashion, that must have caught his Dixie antagonists flat-footed. The latter have been calling Mr. Howe all sorts of bad names for trying to speed up public-school desegregation in the Deep South.

Testifying before the House Rules Committee, Commissioner Howe said it might be a good idea to farm out to the states the enforcement of school desegregation under the 1964 Civil Rights Act. He is vague about how this would work in practice, and he must know that it wouldn't work at all in states like Alabama and Mississippi. But his surprising proposal has the value of putting the issue in proper perspective.

Mr. Howe's Southern tormentors have been screaming about federal dictation and federal interference and meddling. This rhetoric, however, is a cover for the real trouble: The Deep South is against school desegregation, period, no matter who is enforcing it.

"DO IT YOURSELF . . ."

Knowing that his office and the federal government are just convenient whipping boys for the segregationists, Commissioner Howe is turning their argument against them. He is saying, in effect: "All right, since you don't want the federal government to do the job, do it yourselves. Prove your good faith."

The law, of course, would still have to be enforced. If the states were given a specified

period to show their good faith and showed bad faith instead, the federal government could move back in. It is doubtful that this experiment will ever be tried in the Deep South, but since Mr. Howe has suggested it the segregationists will at least have to come up with some different rationalizations for their position.

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[From the Newark (N.J.) News, Oct. 4, 1966]

NOT SO SUBSTANTIAL

When the U.S. Office of Education instituted its guidelines for achieving a "substantial start" toward desegregation of public schools, in April 1965, only about 2 per cent of Negro pupils in the 11 states of the Deep South attended schools with white children. Last spring about 6 per cent of the Negro youngsters were in integrated classes, and the estimate for this fall is not quite 10 per cent.

In a comparative sense, then, there has been a "substantial start." But the facts are that there is still very little integration in the South, much of this has been imposed by courts rather than the Office of Education, and only 37 of 2,000 affected school districts have suffered the ultimate penalty for ignoring the guidelines: Loss of all federal aid. This seems hardly to justify cries of Southern congressmen that the Office of Education is cracking down too hard.

It can be suspected that the investigation now contemplated in the House stems primarily from an urge to obstruct unbiased dispensation of federal funds, as required by the Civil Rights Act of 1964. For the elementary and secondary education aid law of 1965 already provides orderly recourse against illegal or otherwise improper enforcement of this requirement. The education commissioner cannot deny any funds until the state involved has had reasonable notice and opportunity for a hearing. And his action can be appealed to a U.S. Circuit Court.

But these are quiet processes, likely to make few headlines or opportunities to attempt intimidation. The simplest procedure of all, however, is to get ahead with obeying a Supreme Court order that has been on the books for more than a dozen years.

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[From the Washington Post, Oct. 9, 1966]

CONGRESS SHIES AT RIGHTS COMMITMENT

(By J. W. Anderson)

Harold Howe, to his historic misfortune, personifies a law about which Congress is having sharp misgivings.

Howe is the United States Commissioner of Education. The Law is Title VI of the Civil Rights Act of 1964, which prohibits racial segregation in Federally-aided facilities—schools, for example.

The current anti-Howe campaign is being led by the men in Congress who believe that the principle of school desegregation is tolerable only as long as it remains unenforced. And the whole machinery of enforcement is their target.

There is nothing personal, of course, in the vehement attacks on Howe. Any one else who was Commissioner of Education would serve the purpose as well. The purpose is to repeal Title VI, for every practical political effect, by driving the Commissioner from office.

If the Administration lets Howe leave now, Title VI can be considered a dead letter. If men like Sen. Robert C. Byrd of West Virginia or Rep. Mendel Rivers of South Carolina, both Democrats, run Howe out of town for the high crime of enforcing the civil rights law, what would be the Administration's instructions to Howe's replacement?

A period of great danger is now in prospect for the civil rights movement, and for the conscience of the country.

Negroes are pressing harder than ever, with the energy of desperation, for the enforcement of commitments already written into law, like Title VI. But simultaneously, Congress is beginning to move back from those commitments.

A SINGLE WEAPON

The civil rights organizations have only one weapon that really works: demonstrations and marches. But these very demonstrations, as they move through the Northern cities, are fanning up the pressures on Congress to hedge its brave words of last year and the year before.

As for the South, a few statistics explain why Title VI has touched off a reaction unprecedented in a decade of civil rights legislation.

School segregation has been illegal in the United States since 1954. But the traditional American way of forcing compliance to a court decision, by further suits, proves extremely inefficient in Southern schools. Litigation is expensive and slow; it succeeds in placing individual Negro children in previously all-white schools here and there, but inertia and the fear of harassment deters most Negro parents.

In early 1964, ten years after the Supreme Court's decision, barely 1 per cent of the 13 Southern states' three million Negro school children were in schools with white children (and most of those were in one state, Texas.)

That summer the most sweeping civil rights law of all was enacted, with its Title VI. The number of Negro children in schools with white children by last spring shot up to more than 180,000, or about six per cent. This fall, according to early estimates, the number has nearly doubled again.

Title VI, and the threat of losing Federal aid, has accomplished a feat that 10 years of constant litigation could not. It has moved school desegregation in the South beyond the token stage. There has been proportionately heavy pressure on Southern Congressmen to do something about Title VI.

REPAIRING THE ALLIANCE

The southerners have been working assiduously to repair their old alliance with the Republican conservatives. This alliance fell into disrepair in 1957, when Lyndon B. Johnson guided the first of the modern civil rights acts through the Senate to a final test in which literally every Republican vote was cast for the bill.

For eight crucial years, the alliance remained distant and unreliable—and the civil rights legislation was passed.

In retrospect, it seems clear that the change started with a vote to which most of the country paid little attention: the House's vote on the District of Columbia Home Rule bill. To the consternation of the White House, the coalition of Southern and Republican votes was resurrected to transform the Administration bill into another version that fatally split local support.

The promised Republican votes for home rule never materialized. There is some reason to think that the party's old-line leadership was looking for an opportunity to embarrass the man who had promised the votes, the new Republican floor leader, Gerald R. Ford of Michigan. The old-timers, who had never taken to Ford, skillfully chose an issue with racial undertones that would reliably attract militant Southern opposition.

At the time, the home rule vote seemed to be merely a local catastrophe signifying irritation and exhaustion at the end of an immensely productive session. But the Administration's defeat on home rule was followed, two weeks later, by the defeat on the appropriation for rent supplements. The vote was very similar and, once again, there was the racial undertone; the rent supplements would have enabled private agencies to build low-cost housing in the suburbs, whether the suburbs liked it or not.

WRITING ON THE WALL

As the 1966 session got under way, the Administration expended a vast lobbying effort to squeeze a reduced and restricted rent supplement appropriation through the House. The Administration draftsmen quietly abandoned the line about desegregating neighborhoods in the Demonstration Cities Bill, the year's only major piece of new social legislation. The National Teacher Corps appropriation was cut down to barely enough money to fold it up; once again the chief public argument was fiscal but the other arguments ran to race and Federal interference in local school systems.

Last month, an Administration civil rights bill was defeated in the Senate for the first time in a decade because, for the first time in a decade, the Republicans sided heavily with the Southern Democrats on civil rights.

Then, in the House, the Demonstration Cities Bill got badly mired down in the race issue as fiscal conservatives perceived that they were holding a deadly weapon against a bill that would commit the Government to more than half a billion dollars a year of new urban expenditures.

In this atmosphere, the open attack upon Education Commissioner Howe got under way on the floors of both the House and the Senate.

THOSE GUIDELINES

Sen. Byrd says that Commissioner Howe's current Guidelines are the heart of the matter, and regarding that, at least, there is not much dispute.

The Guidelines are a 10-page booklet published annually by the Office of Education to tell school administrators throughout the South what they must do to remain eligible for Federal money. And the Guidelines illustrate the dilemma of Title VI.

Title VI is written in the present tense. It says that no one shall be excluded by race from any program receiving Federal funds, and it means right now. But the Guidelines say only that Southern schools can continue to get funds as long as they desegregate a little more each year.

Another way to state the dilemma is to observe that Congress itself passed the stern language in Title VI, but now Congressmen have been daily excoriating Howe for the mild language of the Guidelines. These Congressmen are thus challenging even the most gradual implementation of the law.

And on the other side, civil rights organizations have bitterly pointed out that, despite the plain and mandatory language of Title VI, the Guidelines let Federal funds continue to flow handsomely into states where 99 per cent of the Negro children are still in the old Negro schools just as though it were the year 1953.

Last year, with 94 per cent of the Negro children in all 11 Southern states still in Negro schools, the Office of Education cut off funds to only 37 out of 2892 Southern school districts.

The White House Civil Rights Conference last June declared ". . . even the sanctions already enacted in the Civil Rights Act of 1964 are failing in their purpose and must be strengthened . . .

"The revised Title VI guidelines for school desegregation issued in March 1966 mark a significant step forward in resolving the difficult issues yet to be confronted. To achieve the intended results, the Office of Education must provide for a much enlarged technical staff, insist that compliance calls for meeting both the letter and the spirit of the law, and develop more prompt and efficient machinery for withholding or terminating Federal aid . . ."

But last month Congress cut in half the Administration's request for additional compliance staff.

The guidelines apply, explicitly, only to the Southern and border states where there are dual school systems admittedly segregated by race. But the Southern Congressmen have been very successful in enlisting Northern sympathy precisely because the Northern Congressmen are also beginning to fear Title VI.

The Southerners, and their friends, have been drumming away with quotations from the speeches of Commissioner Howe. The favorite selection is a paragraph from Howe's now famous talk to the City Club of Chicago last May:

"We could, for example, alter political boundaries to bring the social, economic, and intellectual strength of the suburbs to bear on the problems of the city schools. Building programs for the future could be planned so that new schools would break up, rather than continue, segregation of both the racial and economic sort. The Office of Education will provide Federal planning funds for such efforts right now . . ."

CONGRESSIONAL LOGIC

The congressional attack on Howe follows a logic that runs something like this:

1. Howe is using the threat to cut off Federal funds, through Title VI and the Guidelines, to force Southern school systems to desegregate.

2. Howe believes that the Northern big-city slum schools should be desegregated.

3. Sooner or later he will think of some device to withhold Federal funds from Northern suburbs that refuse to cooperate in desegregating slum schools. Therefore he has to be driven out of office right now, while the issue is still confined to Southern schools.

The hole in this logic is, of course, that the Federal definition of segregation hinges on denial only because of race—not denial because of residence. All of the present Federal civil rights laws have been worked out in terms of the Southern situation, and there is very little legal leverage on the more complicated styles of metropolitan segregation in the North.

The Office of Education keeps saying, in the plaintive tone of an unheard voice, that its Guidelines have nothing to do with racial balance. If children in a district are all going to the schools nearest their homes, there is no Federal authority to change that pattern.

But Howe's assailants charge that hidden authority is lurking somewhere just around the corner.

"Don't Be Fooled," Congressman John Ashbrook, Republican of central Ohio, titled his speech to the House last week. "Bureaucats Do Intend to Bus Your Children."

The speech referred to the incident a year ago when Howe's predecessor, Francis Keppell, attempted (not very successfully) to challenge a gerrymandered district line and segregated vocational training programs in Chicago.

THE COURTS NEXT

As a practical matter, the next serious attack on de facto segregation is likely to be made in the Federal Courts rather than in the Federal bureaucracy.

The latest authoritative study of the subject is likely to prove live ammunition in the hands of civil rights lawyers.

That study was ordered by the same Civil Rights Act of 1964 that carried Title VI into law. The study was supervised by the Office of Education, but was largely designed by two academic sociologists, James S. Coleman of Johns Hopkins and Ernest Q. Campbell of Vanderbilt.

It demonstrates that, Nation-wide, both white and Negro children learn more in school as the proportion of white children in the class rises. The reason is that white children are more likely to come from educated families, and are more likely to have high aspirations that influence their classmates.

The middle-class, bright, college-bound children are a crucial educational resource in a school system, the study suggests.

Federal courts are already being asked to apply a rigid rule of equality in the distribution of conventional school resources throughout the city. If this attempt succeeds, the courts will then undoubtedly be asked to apply the same rule to the distribution of an unconventional but very real resource—the middle-class children.

Nothing in the current congressional debates suggests that any of the Congressmen is aware of this possibility. Perhaps it is roughly accurate to say that the legal attack on Northern-style segregation now stands about where the attack on Southern-style segregation stood a generation ago. But it is not standing still.

For the moment, Title VI is the central symbol. To the Negroes and civil rights forces, it is the symbol of a promise sealed into law, but never fulfilled. To the Southern Congressmen, it is the symbol of effective enforcement of requirements until now successfully evaded. To the nervous Northern Congressmen, it is a warning that future legislation could possibly force their constituents to choose between Federal funds and desegregation for the inner cities.

But the immediate test is whether Commissioner Howe will survive the powerful campaign running against him.

## TWO THOUSAND YEARS OF WAR IN VIETNAM

Mr. INOUYE. Mr. President, the spring issue of Horizon contains an illustrated article entitled "2,000 Years of War in Vietnam."

The article was written by Prof. Bernard Fall, of Howard University, who, before his untimely death while on a U.S. Marine patrol in Vietnam, February 21, 1967, was one of the Nation's leading authorities on Vietnam. Professor Fall notes that this small nation successfully resisted three Mongol invasions in the 13th century. At this time, Marshal Tran Hung Dao, one of Vietnam's great military leaders and thinkers, wrote his "Essential Summary of Military Arts."

I quote from the article:

His principles could just as well have been written by Mao Tse-tung or Dao's present-day successor in Hanoi, General Vo Nguyen Giap, the victor of Dien Bien Phu: "The enemy must fight his battles far from his home base for a long time . . . We must further weaken him by drawing him into protracted campaigns. Once his initial dash is broken, it will be easier to destroy him."

In A.D. 1287, General Dao implanted thousands of iron stakes in a shallow river bed and entrapped the Mongol fleet, defeating the invaders.

Professor Fall reveals that by 1613, after generations of quarrels between the north and south, the Vietnamese constructed their own version of the Great Wall of China at Dong-Hoi, one 6 miles long and the other 12, both 18 feet high. This wall was located just a few miles north of today's division at the 17th parallel.

The first U.S. Marine detachment ever to set foot on Vietnamese soil marched ashore at Danang, May 10, 1845, to save a French bishop who was being held hostage in Hue.

Since the last fifteenth century—

Professor Fall continued:

Vietnam had elected its local governments and this had proven an effective shield against the imperial government's high-handedness. "The Emperor's writ stops at the bamboo hedge (of the village)" is an old Vietnamese saying.

The arriving French colonials began to tamper with those hallowed institutions, thus breaking one of the most important links in Vietnamese society. The French, unfortunately for themselves, understood this too little and, above all, too late; but it took the incredible blindness of the late Ngo Dinh Diem to abolish local elected government altogether.

When he did so, in 1956, the Viet-Cong had the issue it was looking for.

I commend this article to the attention of Senators, for it has much to contribute toward a fuller understanding of the Vietnamese people.

## MRS. JOY NOUFER, "MRS. AMERICA" OF HOUSTON, TEX., ENCOURAGES TRAVEL TO AMERICA

Mr. YARBOROUGH. Mr. President, articles in travel industry magazines have recently described how the U.S. Travel Service cosponsored a promotional trip to Europe of the reigning "Mrs. America," Joy Noufer, of Houston, Tex.

At no cost to the Government, Mrs. America visited seven cities as a good will ambassador from her State and her country, inviting our European friends to come and visit the U.S.A. In each city she helped to generate interest and enthusiasm for our national tourist program. In London she was featured in all the morning newspapers and in Paris she was welcomed by the mayor. She was similarly greeted in Shannon, Dublin, Limerick, Copenhagen, and Nice.

This lovely Texas lady may have done as much for America's image abroad and on the balance-of-payments problem at home as any individual in the country today.

In his economic message to Congress this year, President Johnson restated his support of a free exchange of tourist travel. He said:

The most satisfactory way to arrest the increasing gap between American travel abroad and foreign travel here is not to limit the former but to stimulate and encourage the latter.

At the same time, the President announced that he would appoint a special industry-Government task force to report to him by May 1 with recommendations on how the Government can best stimulate foreign travel to this country.

The forthcoming HemisFair in San Antonio, set for 1968, is clearly in line with President Johnson's objectives.

In 1966 our travel gap was $1.8 billion, an all-time record. It will probably continue to increase unless we take positive steps to reverse this disturbing trend.

The benefits of promoting tourism are self-evident. Tourism increases jobs and pumps dollars into the national economy. The Department of Commerce estimates that the recordbreaking $1.6 billion spent by foreign tourists on visits to and within the United States last year helped to create over 200,000 jobs, in addition to easing our balance-of-payments position.

The United States is a relative newcomer to the international tourist market. Other governments have cultivated this lucrative market for many years, maintaining over 100 offices in the United States alone. This year our competition will be stronger than ever as the result of a declaration by the United

Nations of 1967 as "International Tourist Year." Many countries are reducing travel restrictions and facilitating the free flow of tourists. Moreover, they are increasing their promotional outlays to capture an even larger share of the market.

Surveys by the U.S. Travel Service show that foreign nationals want to visit the United States, and that they now have the means to do it, especially from the increasingly prosperous European countries. Travel to and within the United States is becoming less costly every year. This summer, for example, groups of people employed by American companies overseas will travel in the United States for 2 weeks for under $500 each. This figure includes round trip air fare, hotel accommodations, sightseeing, land transportation, interpreters, and two meals a day.

Members of the private travel industry—the carriers, hotels, agents, operators of recreation facilities—have thrown their support behind the Government "Visit U.S.A." program and have increased their own promotion budgets.

I am confident that through these joint efforts we can look forward to a narrowing of the travel gap, as well as increased business for tourist and recreational areas in every part of the country.

## PROPER METHOD OF REPORTING FEDERAL BUDGET

Mr. FANNIN. Mr. President, there has been considerable discussion among theorists in recent years on the proper method of reporting the Federal budget—that is, whether the national income budget, the administrative budget, or the cash budget is the more reliable guide to Washington's policies, programs, and spending. Not surprisingly, the realists meanwhile have been using whichever accounting system best supported their position, their objectives.

An example of this practice is the administration's recent switch from the administrative to the national income budget. It offered the administration a way to eliminate—at least on paper—a considerable portion of the budget deficit for the current fiscal year. And at the same time, the administration has emphasized the administrative budget—which shows the biggest deficit—when talking of the need for a surtax increase.

No one can argue with the need for an effective tool to measure and reflect the impact of the Federal Government upon the economy. But even more fundamental than an accurate accounting system is the need for candor and honesty by the administration, and this the American people and the Congress have not had.

The distinguished senior Senator from Delaware [Mr. WILLIAMS] has time and again shown how the administration is employing chicanery and questionable accounting procedures to depress the budget deficit for fiscal 1967.

Senator WILLIAMS' efforts to inform the public have not gone unnoticed, and certainly not unappreciated. Only yesterday the Wall Street Journal editorially praised the distinguished Senator for cutting through the smokescreen by which the administration had hoped to obscure the true size of the present budget deficit.

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:

ILLUSORY INCOME

Just how tricky contemporary Federal budgeting can get is shown in an analysis by Senator John Williams, now reprinted by the Senate Republican Policy Committee. It should sober even the enthusiastic advocates of unstinting Government largess.

The Delaware lawmaker notes that the original estimate of the administrative budget deficit for the present period, fiscal 1967, was $1.8 billion; in January of this year it was revised to $9.7 billion, which is quite a difference. But if traditional accounting methods are used, Mr. Williams says the true deficit is about twice as large, over $18.7 billion.

How come? Chiefly because the Administration treats certain nonrecurring and illusory income as normal income.

The nonrecurring type includes the money picked up by the accelerated corporation, withholding and excise tax collections and a profit of seigniorage. The last comes about as a result of cutting the silver content of dimes, quarters and half-dollars. (What was that about bad money driving out good?)

As for illusory income, there are the famous, or infamous, participation certificates, on which we and others have made critical comment in the past. The Administration counts sales of PCs on the revenue side of its books, but in fact they don't change its income status at all.

Anyway, add up all such items and you get Senator Williams' monumental estimate. Should the Government be permitted to go on running deficits, of that magnitude?

Mr. Williams doesn't think so, and these columns don't either. "We must curtail expenditures even in programs that we all like. We must cut back on many of these domestic programs. Otherwise we face a financial catastrophe in this country."

However that may be, the Administration does the country no service by insisting on living in a fiscal dream-world.

## THE SNOW AT ALTA, UTAH

Mr. MOSS. Mr. President, there is no snow like Alta snow, or so we feel in Utah. Recently Jerry Hulse, of the Los Angeles Times, visited Utah's famous ski resort in the Wasatch Mountains, and then went back to the town where snow almost never falls to write enthusiastically about his experience. The many other Americans and visitors from foreign countries who are coming in growing numbers to Alta to ski seem to feel much the same. There is more snow and better snow than almost any other slope anywhere. I ask unanimous consent that the Hulse article, as carried in the Washington Post, of March 12, be printed in the RECORD.

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

UTAH SKI RESORT: ALTA IS OUTSNOWING THE ALPS

(By Jerry Hulse)

ALTA, UTAH.—"The Greatest Snow On Earth" is the smug description resort owners give these slopes. "Why ski the Alps when you can ski Alta?" they ask.

There are more snowfalls on Alta than on the Alps. By mid-November the base averages 3 feet and by May up to five times that amount covers runs with names like Neversweat, Mombo Alley, Chartreuse Trail, Schuss Gulley, Hide-A-Way, Wildcat Bowl, High Nowhere, Eagles Nest, Baldy Chutes and Bear Paw.

Al Engen, the renowned champ, turns snow bunnies into skiers at a school he operates for late starters as well as for sophisticates. If you remember back, he starred in the Jack Armstrong Wheaties ads—even though Jack Armstrong was touted as the "All-American" and Engen was barely removed from Norway. Once Engen purposely skied an avalanche for his brother's home movie and in 1936, 1940 and 1948, he coached America's Olympic ski team. After a week in his school he guarantees the beginner will look like a professional.

Little Cottonwood Valley, which clutches Alta, was carved by glaciers and settled by miners. Miners who came in 1865 turned out 37 million dollars in gold, silver, copper, lead and zinc. In seven years the population grew to 5000 and the number of breweries to five. Bullets became as common as booze and two saloons alone—the Bucket of Blood and the Gold Miner's Daughter—accounted for 110 killings. When a stranger wandered into town and offered to resurrect the dead, he was given 2500 dollars and told to leave. It was felt that such a miracle would bring only chaos. Widows had remarried, children had new names and insurance was already paid. Let the dead rest, it was decided.

The miners were almost gone when the skiers discovered Alta in the late 1930s. Now Defense Secretary McNamara skis Alta between trips to Vietnam. Lowell Thomas and Pennsylvania Gov. William W. Scranton come on occasion, and the Kennedys were near guests but found no room at the inn.

If you're young and spirited, you are led off to dormitories with wall-to-wall people. If, on the other hand, you're mature and settled, there are deluxe pads with picture windows, hot showers and cold beer.

Skiers take refuge at Alta Lodge, Rustler's Lodge, Alta-Peruvian Inn, Snow Pine Lodge and the Gold Miner's Daughter. Off in Gad Valley plans are unfolding for a $50-million development with four new villages, swimming pools, an ice skating rink, movies, laundromats, aerial trams and a mountaintop restaurant.

At Alta Lodge a snooze and three meals starts at $10.50 a day.

## OUTRAGE, CONTINUED

Mr. BYRD of West Virginia. Mr. President, the Washington Evening Star of Wednesday, March 15, carried an editorial entitled "Outrage, Continued." The editorial states, with regard to Adam Clayton Powell, that "not content with blasphemy," the Reverend Mr. Powell has proceeded to "challenge the authority of the State to carry out the contempt-of-court warrant that makes him liable to arrest at any time," and that Powell has said that "the people of Harlem" will not let him stay in jail very long.

I thoroughly agree with those two paragraphs in the Star which read as follows:

But one factor that must not be given any weight in the decision is Powell's thinly-veiled incitement to riot. If it is legally right to arrest him, the arrest should be carried out. And if Powell's former constituents should take him upon his suggestion, all force necessary to maintain order should be promptly applied.

Any other course of action would amount to the capitulation of the state of New York

before Powell's blustering threats. And if that should indeed happen, the consequences to the district, the state and the nation could be an irreversible approach to the brink of disaster.

Mr. President, I ask unanimous consent to insert the editorial in the RECORD.

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

OUTRAGE, CONTINUED

Anyone who harbored the wan hope that the loss by Adam Clayton Powell of his cherished congressional seat might have taken some of the wind out of the former representative's flamboyant sails should forget it. Each day brings fresh evidence that Powell's ability to outrage the sensibilities of reasonable men—and his delight in doing so—remains undiminished.

This Powell-style effrontery reached unprecedented heights at his latest Bimini press conference, conducted jointly with his admirer, the former comedian, Dick Gregory. The two men, tossing the conversational ball back and forth, developed a comparison between Adam Clayton Powell and Jesus Christ.

It began with Powell's announcement that he would stage a triumphant return to Harlem on "Palm Sunday, the day of victory." He added that he would "bring along my Bimini disciples . . . but I won't be riding the foal of an ass." Gregory spoke up: "If Adam is arrested on Palm Sunday, crucified on Good Friday, I'll bet that when the officials go to get him on Easter morning, they would find he is not there but that he had risen."

Reporters at the scene noted that conversation was carried on in a joking vein. The humor eludes us.

Not content with blasphemy, the Rev. Mr. Powell went on to challenge the authority of the state to carry out the contempt of court warrant that makes him liable to arrest at any time. If the state should carry out the order, Powell said, "the people of Harlem" won't let him stay in jail very long.

A New York appeals court has just refused to stay the order for Powell's arrest. Even so, there still may be fine questions of state law involved in the decision of whether or not to arrest him if he goes ahead with his plan to appear on Sunday. New York authorities will unquestionably study the matter carefully before making a final decision.

But one factor that must not be given any weight in the decision is Powell's thinly-veiled incitement to riot. If it is legally right to arrest him, the arrest should be carried out. And if Powell's former constituents should take him up on his suggestion, all force necessary to maintain order should be promptly applied.

Any other course of action would amount to the capitulation of the state of New York before Powell's blustering threats. And if that should indeed happen, the consequences to the district, the state and the nation could be an irreversible approach to the brink of disaster.

## SENATOR CLARK A LEADER IN THE WAR ON POVERTY

Mr. NELSON. Mr. President, the distinguished Senator from Pennsylvania [Mr. CLARK], has long displayed vigorous leadership in the war on poverty.

Under his chairmanship the Subcommittee on Employment Manpower and Poverty has developed and expanded the Economic Opportunity Act.

But our efforts have not been enough. More than 30 million Americans living in poverty and despair have hopes and expectations that this war be escalated.

In a recent speech before the National Legislative Conference of the National League of Cities, Senator CLARK eloquently described the task yet before us.

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

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

A WAR TO ESCALATE

(Speech by Senator Joseph S. Clark (Democrat, of Pennsylvania) to the National Legislative Conference National League of Cities, Washington, D.C., March 13, 1967)

Three years ago President John F. Kennedy announced that the war on poverty and unemployment would replace civil rights as the Government's number one concern. The battle cry was sounded again, soon after, in the words of President Lyndon Johnson: "We must go to war on poverty and all its causes. Poverty at home is an enemy of our society as much as are aggressors abroad. Poverty amid plenty can subvert our prosperity and undermine our stability. A war on poverty is a war to redeem human life, not destroy it—and it is a war this generation of American must wage and win."

It is pertinent to ask today, three years later: How goes this war, the greatest and most meaningful humanitarian crusade in mankind's history? How near is victory? Can we lose the struggle? Do we need to make a new assessment of the durability of our enemy, and perhaps of the need for a new strategy and tactics?

It is especially pertinent to pose such questions before this forum, the National Legislative Conference of the National League of Cities. No organization has a greater stake in the success of this war than the National League of Cities and the 14,000 municipalities it represents. In those 14,000 communities live 150 million Americans—95 percent of our total urban population. And it is in these cities, of course, that the war on poverty is being chiefly fought.

As a former vice-president and member of the Executive Committee of the League, I am naturally gratified that this organization has refused to limit its role to that of bystander or spectator in the anti-poverty war. The League has plunged whole-heartedly into this fight from the beginning, endorsing the Economic Opportunity Act, supporting the individual programs, strongly opposing any cutback in funds and specifically demanding that Congress enact new authorizations and appropriations "to permit further orderly expansion of the OEO programs."

Our war-on-poverty is three years old, but actually its origins go back 30 years and to these words:

"I see millions of families trying to live on incomes so meager that the pall of family disaster hangs over them day by day.

"I see millions whose daily lives in city and on farm continue under conditions labeled indecent by a so-called polite society half-a-century ago.

"I see millions denied education, recreation, and the opportunity to better their lot and the lot of their children.

"I see millions lacking the means to buy the products of farm and factory and by their poverty denying work and productiveness to other millions.

"I see one-third of a nation ill-housed, ill-clad, ill-nourished."

The words, of course, were Franklin D. Roosevelt's in 1937; but the deeply disturbing fact is the extent to which the indictment applies today, a full generation later. But despite the parallels, despite the fact that the social and economic problems remain acutely with us after three decades, there has been progress.

FDR spoke of one-third of a nation economically afflicted. Today we estimate that the impoverished comprise one-fifth of the nation, about 35 million Americans. But progress is reflected more significantly in the fact that in the past three years we have launched—for the first time—a concerted and comprehensive war against poverty, a war of multiple campaigns and on numerous fronts. Moreover, in declaring "unconditional" war on poverty we are attacking this greatest evil of our time from all possible bases—economic, political and moral.

Our armies have been formed from all kinds of organizations, groups that never before were summoned into such conflict. As troops we have recruited men, women and young people from all walks of life, from all parts of society, from all occupations and areas of interest.

This is what makes the difference between today's war on poverty and the limited crusades of the past, that and the fact that as never before we are irreversibly committed to a fight-to-the-finish and to the use of resources that were never previously available.

When the battle lines began to be drawn three years ago the conflict quickly shaped up as much more enormous than we had guessed.

At least 77 million Americans—two-fifths of a nation—were living in poverty or deprivation, according to our best estimates three years ago. More than 38 million Americans were impoverished. To subsist in just low-to-moderate circumstances, an American family of four should have had a minimum income of $6,286-a-year. But one-half of all Americans found themselves in families with incomes of less than $6,000, according to the U.S. Census Bureau. Even worse, 30 million Americans were in families with incomes of less than $3,000, less than half the amount required for minimally decent living standards.

In addition, nearly 4 million single workers had to live on incomes of less than $2000-a-year, despite the fact that a minimum of $2497 was needed for a decent standard for single workers.

At least 10 million three hundred thousand American families lived in circumstances of deprivation, a level somewhat above poverty but still below decent living standards. The livelihood of these families ranged from $4000 to less than $6000. In the deprived category were also some 2 million single individuals who averaged $2000 to less than $3000.

This was a boom period, remember. Our three post-war recessions were behind us and we were launched on the unprecedented wave of prosperity that has now carried us into its seventh year.

What we have accomplished in the three years since the war-on-poverty was triggered is unmatched in any comparable period. Consider, for example, what was achieved by the 89th Congress; let me cite just 12 of its milestones:

1) The new minimum wage law, considered by some as the most effective anti-poverty legislation to date, went into effect and brought the benefits and protection of that law to 9 million additional Americans. It also channelled one billion dollars more a year in new purchasing power into the economy.

2) Under Medicare and just up to February 1, 3 million elderly Americans received hospital care and 5½ million received physicians' services.

3) Medicare's hospital insurance protection covered more than 19 million older Americans and 17½ million citizens signed up for supplementary medical insurance.

4) As a result of the 1965 and 1966 amendments to the Social Security Act, one million additional citizens, who otherwise would receive no benefits, now have a regular Social Security income.

5) The 1965 amendments also brought to all 23 million Social Security beneficiaries, a 7 percent increase in monthly cash benefits.

6) More than 8 million disadvantaged children in more than 17,000 communities are now being helped by the Elementary and Secondary Education Act.

7) Forty-nine million school children and two million teachers now have text books, library books and other educational materials provided under the Elementary and Secondary Education Act.

8) The new program of educational opportunity grants now enables more than 135,000 needy college students to continue their education, and 190,000 students who *could not* otherwise afford to go to college are finding it possible under the college work-study program of part-time jobs.

9) At least 4½ million children will receive the protection of measles vaccine made available to state and local health agencies under the 1965 amendments to the Vaccination Assistance Act.

10) A $9.3 billion, 72 percent expansion in Federal programs directly fighting poverty and assisting the poor was achieved in the past four years, and 1000 communities were mobilized for the war on poverty.

11) Head Start, the Neighborhood Youth Corps and other programs helped more than one million needy children.

12) The development of new skills and new avenues of opportunity were accepted by more than one million Americans under the Manpower Training and Development Programs.

This is the record of social and economic progress under a single Congress, a Congress that President Johnson has characterized as the best in American history.

Whether we agree with that high praise or not, the fact is that these 12 legislative advances most certainly represent a series of early victories in the war-on-poverty. Some of them, such as Medicare and the minimum wage law, are clearly major victories.

Thus the picture of poverty and deprivation drawn three years ago is no longer completely accurate, although it remains mostly true. In satisfying the growing need for improved and expanded public services, we have dropped backward in many respects. For example, in education, in Negro employment, in housing, in preventing crime and juvenile delinquency, in mass transportation, in public recreation, in curtailing air and water pollution, conditions which were once considered disgraceful have steadily grown worse.

How has all this happened in the richest nation the world has ever known? How did the distribution of our resources become so distorted that we who boast the highest levels of luxury consumption in all history must be ashamed of our public schools, our public playgrounds, and our public welfare services, not to mention the pollution of the air we breathe and the water we drink?

There are three basic reasons:

First, the revenue structure of local government is obsolete.

Second, the Federal Government stole the goose that lays the golden eggs when the 16th Amendment authorizing a graduated income tax was passed.

Third, the organization of local government is obsolete.

There are some deficiencies in local government that more money alone will not cure, but there are few that can be cured without money. It is not just that local governments are unwilling to tax, although that is sometimes the case; it is a lack of adequate tax resources.

I will not analyze this further, as I have on other occasions, but confine myself to asserting that the solution is obvious. The Federal tax system, because of its inherently superior capacity for raising revenue equitably and efficiently, should be used to an increasing degree to return to state and local governments sums necessary to finance services which can best be administered at the state or local level.

Abraham Lincoln said that "The legitimate object of Government is to do for a minority of people whatever they need to have done but cannot do at all or cannot so well do for themselves in their separate and individual capacities."

The same prescription applies to the Federal government doing what local governments cannot do at all or cannot do so well for themselves—especially in such a mammoth undertaking as the war-on-poverty.

So that you may judge how huge and complicated the battlefronts are, let me give you a condensed, telescopic picture of the poverty war campaigns now under way.

First the Job Corps. This offers a program of remedial education and job training for young men and women, ages 16 through 21, in urban training centers and rural conservation centers in which the trainees live, work and learn. Women in Job Corps Centers are also trained in "Home and Family Life," to care for themselves and their families.

Second, Community Action Programs. These provide financial support for local anti-poverty campaigns in urban and rural areas, on Indian reservations, and among migrant workers. Included here are such projects as remedial reading, literacy instruction, job training and development, vocational rehabilitation, health services, and homemaker services. Federal assistance depends on the community's determination to administer and coordinate the Community Action Programs through public and private non-profit agencies, or a combination of these. The Program involves the poor themselves in developing and operating anti-poverty attacks. The Federal government pays up to 90 percent of the cost of these local programs.

There are at least 13 projects and enterprises that fall under the Community Action Program. Among the most important are these:

Demonstration projects which are undertaken in areas of need and include such projects as housing and block rehabilitation.

The Foster Grandparents Program encourages the aged to give aid and comfort to infants and older children and also to the retarded in institutions.

Indian Programs enable tribal councils on reservations to serve as Community Action agencies to assign priorities, designate projects and determine needs for child development, health aid, educational programs and job training.

Legal Services Program permits communities to obtain up to 90 percent financing to provide free legal assistance for people who are poor and who cannot afford an attorney. This program is concerned principally with civil law, provides legal counseling and representation, and offers preventive legal education to inform poor people of their rights and responsibilities.

The Library Services Program improves libraries, creates new ones where needed, and extends educational help.

Medicare Alert has already proved of enormous value in enlisting the elderly poor to advise other elderly persons of benefits available under Medicare.

Assistance for Migrant Workers and Their Families is a program providing grants, loans and loan guarantees to assist states and localities for special needs in housing, sanitation, education, health services, and day care for children.

Mobile Health Clinics designed to improve health standards of the poor by traveling through areas of greatest need.

Project Head Start, one of the best known programs, provides up to 90 percent Federal financing for pre-school child development centers. These are organized to create an environment which will bring pre-school children to their full potential by improving the health and physical abilities of the poor, developing their self-confidence, improving verbal skills, involving parents in activities with their children and providing social services for the family.

Small Business Development Centers assist in the establishment and strengthening of small business firms and improve managerial skills for such enterprises. These centers are located in neighborhoods.

Upward Bound. This is a program to help college-age students from low-income families obtain a college education by preparation and motivation in high school. It is a pre-college preparatory program designed to cultivate the skills and motivation necessary for college success.

Those are some of the principal projects and enterprises under the comprehensive Community Action Programs.

VISTA is now as well known as the Job Corps. VISTA offers an opportunity for Volunteers, 18 years and older to join the War-On-Poverty by bringing education, health services and counseling to the poor. The volunteers work with migrant laborers, on Indian reservations, in urban and rural community action programs, in slum areas, hospitals, schools, and in institutions for the mentally ill and retarded. Enlistment is for one year and the Volunteers receive $50 a month with a living allowance.

The College Work-Study Program provides part-time employment for college students from low-income families. The students work at on-campus jobs, including dormitory and plant maintenance, food service, clerical work, library indexing and laboratory assistance. Off-campus employment places students in jobs as tutors, youth workers, and recreation leaders.

The Neighborhood Youth Corps provides full-time or part-time work and training for youths ages 16 through 21, enabling them to stay in or return to school, or increase their employability. Young men and women are placed in newly-created jobs in hospitals, settlement houses, schools, libraries, courts, parks and playgrounds. They are assigned to neighborhood renovation programs in depressed areas.

The Work-Experience Program provides up to 100 percent financing for projects to help unemployed parents and others to gain work experience and job training combined with adult education and basic literacy instruction. This program is aimed chiefly at jobless heads of families that have dependent children.

There are other programs and projects that fall under the War-On-Poverty, but these are sufficient to convey a notion of the poverty war's size and diversity. And it is precisely because of its size and diversity, its multiplicity of attacks, that many thoughtful Americans, in and out of Congress, believe that this War-On-Poverty, young as it is, represents the brightest hope this nation has ever had to rid itself of the age-old scourge of deprivation and economic suffering.

We know we are making a promising start in that direction. We have come to the point now where we need to know just how promising it is. In this enormous complex of programs and projects, that I have described in part, we need to know now where have been the genuine successes and fallures. We must build on the strengths and weaknesses of all the programs in their infancy to assure their healthy growth to maturity.

Last year, we are told, the War-On-Poverty touched 4,000,000 American lives. This is heartening at first blush, but the real story lies deeper. How important were those 4,000,000 contacts? Do they only represent lines passing through a social service turnstile? Or do they indicate turning points in these peoples' lives toward successful futures?

Yet whenever I proudly reflect that the lives of 4,000,000 people may have been changed for the better by the War on Poverty, I cannot shut out of my mind the fact that for every man, woman and child reached by the antipoverty program, there are eight who remain outside our reach.

Why has this happened? I suspect there are several reasons. Foremost among these is our bargain-basement funding of this great domestic war. We are spending about $24 billion a year to fight in Vietnam, but only $1.612 billion a year to win a war being fought within a stone's throw of all of us. If we increased our commitment to poverty ninefold to take care of our fellow citizens who are still untouched, we would still be spending less than ⅔ of what we have committed to the conflict in Asia.

I fear that more money alone will not be enough. We need to concern ourselves with the millions of poor who don't believe in the War on Poverty. Our national effort is one more empty promise to these people, hardened by centuries of inferior housing, education and employment, the fruits of racial discrimination.

It matters little how effective our anti-poverty programs are, as long as these Americans don't believe in them. I submit we must blaze a new trail in this uncharted wood, to approach these hard-core poor and gain their faith in us. May I applaud the efforts that already are being made in this direction and affirm my conviction that any victory in the War on Poverty will be a hollow one unless we win back our most alienated fellow-men.

To answer these and other questions Congress has authorized an extensive study of the War-on-Poverty by a Subcommittee of the Senate Labor and Public Welfare Committee. This Subcommittee on Employment, Manpower and Poverty, of which I am chairman, opened its hearings on Capitol Hill this morning.

The hearings will continue here through Friday. Then during April and May they will be held in 13 states acros the country, returning to Washington for a second round of hearings with testimony from the Administration, national organizations and other interested groups.

In the various cities that we visit we will not confine ourselves to the hearing rooms nor our evidence to the oral testimony. It is our intention to inspect personally slum areas and rural living conditions, and to examine at first hand the workings of community action programs, neighborhood projects and undertakings by the Job Corps and VISTA.

Our Subcommittee will meet with, and study the problems of, migrant workers, the elderly poor, Puerto Ricans, Mexican-Americans, American Indians in both rural and urban area, and the rural mountain poor. We want on our records the voices of the forgotten poor, the unrepresented.

There is an urgency in these hearings. The entire poverty program has been in jeopardy in the recent past and it can find itself in jeopardy in the near future. Last year, for example, the war-on-poverty program squeaked through the House of Representatives by a margin of only 39 votes. Thus if only 20 out of the 435 Congressmen had switched and voted against the program last year, Congress might have adjourned last October without authorizing funds for the Economic Opportunity Act. Last November, as you know, 47 new Republicans were elected to the House of Representatives. What this will mean to the anti-poverty program we do not know, but it can very possibly be drastic.

Even now, in fact, the war on poverty is handicapped by having to operate with far less money than it is entitled to. Congress last fall appropriated $137,500,000 less than the $1,750,000,000 authorized by the 1966 amendments to the Economic Opportunity Act. This slash has crippled many community action programs.

George Bernard Shaw firmly believed that democratic society faced no problem of more pressing importance than poverty. He declared:

"The greatest of evils and the worst of crimes is poverty. All the other crimes are virtues beside it; all the other dishonors are chivalry itself by comparison. Poverty blights whole cities; spreads horrible pestilence; strikes at the soul of all those who come within sight, sound or smell of it."

The blighting of whole cities—and the blighting of millions of lives—by poverty can be halted and perhaps halted forever if we can somehow insure the success of the War-On-Poverty.

It is a war we cannot afford to lose. It is the only war we want to escalate, that we must escalate, for our nation's future and the victory of humanity.

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## WHAT WE ARE NOT DOING TO TACKLE THE POPULATION PROBLEM

Mr. GRUENING. Mr. President, no other President has spoken so forcefully and knowledgeably as has President Johnson on the need to tackle the population problems at home and overseas. Earlier this year I inserted in the CONGRESSIONAL RECORD the full text of the President's 31 statements concerning population since his election.

His statements are magnificent and clearly define for his executive agencies their responsibilities on implementing his wishes. Regrettably, they appear not to have followed his directives.

An informative series of articles by Mr. Walt Friedenberg, a staff writer for Scripps-Howard, is appearing this week in the Washington Daily News. The series is entitled, "Population Control: The Race Against Time."

Writer Friedenberg points out that the zooming population problem has been getting words but little action from the Government of the United States.

Action to meet the population problems is simply not possible until those in charge have authority, staff, adequate funding, and the understanding desirable.

If we are to solve the population problems of our own country and help others overseas who wish not merely to make quality a part of daily living, but to obviate mass starvation and chaos, we must let those concerned know that there are birth control means acceptable to all available now.

Time will not stop while we quibble, because, as former President Eisenhower said, the population increase constitutes "one of the most, if not the most, of the critical problems facing mankind today."

In his written statement sent to the Government Operations Subcommittee on Foreign Aid Expenditures when hearings were held on my bill to coordinate and disseminate birth control information upon request at home and overseas, former President Eisenhower expressed his devout hope:

Necessary measures will be enacted into law to authorize the Federal Government, as well as appropriate private and semipublic organizations, so to cooperate among themselves that the necessary human and material resources can be promptly mobilized and employed to cope effectively with the great need of slowing down and finally stabilizing the growth in the world's population.

I ask unanimous consent that the complete text of the three articles written by Mr. Friedenberg be printed in the RECORD.

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

POPULATION CONTROL: THE RACE AGAINST TIME—I

(By Walt Friedenberg)

WASHINGTON, March 14.—One of the world's greatest problems—the zooming world population rise—has been getting lots of lip service but little action from the U.S. Government.

President Johnson has spoken out urgently about it more than two dozen times in the past two years.

The explosion in world population, he said on the 20th anniversary of the United Nations in 1965, is the "most profound challenge to the future of all the world."

"Next to the pursuit of peace," he said in his State of the Union address last January, "the really greatest challenge to the human family is the race between food supply and population increase. That race tonight is being lost."

In messages to Congress, in reports and speeches, at ceremonies, in leters, the President has cited the onrushing enormity of the problem:

At present growth rates, the world's 3.5 billion population will double to seven billion before the year 2000.

In the past six years in underdeveloped countries, population has gone up three per cent yearly, food production only two per cent, so that food production per person has been falling one per cent annually.

In those countries, of every $3 invested in economic development—factories, schools, hospitals—$2 is nullified by population growth.

In short, the specter of mass hunger and malnutrition, with all the misery and turmoil that would bring, is in President Johnson's words "already at the world's doorstep."

But the Agency for International Development (AID), the organization responsible for our international family-planning programs, has only 12 people working full time on population matters—out of a total staff of more than 7000.

In AID the responsible office has been the Population Branch, which comes under the Health Service, which comes under the Office of Technical Co-operation and Research. In other words it has been buried three levels down in the AID bureaucracy.

The man in charge of the Population Branch, a conscientious and experienced physician, Dr. Reimert Ravenholt, occupies a cubbyhole office and competes with two colleagues for the services of one overworked secretary.

Besides Dr. Ravenholt, his deputy and a population program analyst at AID headquarters here, there are only six full-time population workers in India-Nepal, one in Pakistan, two in all Latin America.

In India-Nepal, the U.S. team—a physician who is a population-and-health expert, a demographer, a health educator, an administration adviser, a sociologist, and a public health nurse—work with counterparts in the Indian Health Ministry.

The American mission supplies no birth-control devices—loops, pills, condoms, etc. These are provided by the Indian Government and the Population Council among others. The Ford Foundation and Rockefeller Foundation also support India's family-planning program through research in reproductive biology and birth-control studies and services.

AID's attitude has been sluggish at best. When last April then-Administrator David E. Bell testified before a Senate hearing, he said AID was doing fine in the population field and needed neither more money nor more legislation.

Yet when Sen. Ernest Gruening (D., Alaska) asked Bell for a country-by-country rundown on what was being done, in more

than 90 per cent of the cases his answer was "I don't know . . . I couldn't say . . ."

This has been AID's answer to what the President has been calling, for two years, the world's second-most important program, after war itself.

Now it appears things may change. Shortly AID will open an Office of the War on Hunger, with Herbert J. Waters, a former aide to Vice President Humphrey, in charge with the rank of Assistant Administrator. The office will have five Services: Population, Nutrition and Child Feeding, Food for Peace, Agricultural Development, and Health.

The staff of three men and one secretary in the present Population Branch will expand to 17 men and 11 secretaries in the new Population Service. The aim is to strengthen "home office" capabilities in four fields: technical assistance and program development; information; population dynamics analysis; and research and institutional manpower development.

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POPULATION CONTROL: THE RACE AGAINST TIME—II

WASHINGTON, March 15.—In India young mothers with their children tagging along crowd into family-planning clinics to wait patiently for the overworked "lady doctor" to give them help in avoiding yet another unwanted pregnancy. They are illiterate and ignorant, but they know they want to escape from the enfeebling cycle of annual childbirth.

In Chile in recent years induced abortions have occurred in an estimated 35 to 40 per cent of all pregnancies—chilling testimony these women risk their lives not to have another child. For every 100 live births in hospitals there were 31 hospitalizations due to the complications of abortions. This human tragedy has prompted the government to help set up family-planning clinics. Chilean women are flocking to them.

In Turkey a national survey found women support the idea of family planning 3-to-1. To the question, Should the government give information to people who want to keep from having too many children? 79 per cent of the women and 70 per cent of the men answered "yes."

Last December the heads of state of 12 countries including Colombia, India, Malaysia, Morocco, South Korea, Egypt and Yugoslavia, jointly declared "the opportunity to decide the number and spacing of children is a basic human right;" that "the objective of family planning is the enrichment of human life, not its restriction;" and "lasting and meaningful peace will depend to a considerable extent upon how the challenge of population growth is met."

These are but a few cases of the widespread change in world opinion on family planning in just a few years. A decade ago, according to The Population Council based in New York, only India had a "population policy." Today more than half the developing countries—which is where the world's population problem is building up—have official or government-aided programs, and are crying for outside help.

It is not a case of the well-fed, modernized West nagging underdeveloped ex-colonies into population control. Rather, governments in Asia, Africa and Latin America realize high birth rates are eating up hard-won economic development gains and threatening not only shortages in schoolrooms, hospital beds and jobs, but food itself.

Despite the enormous stake the rich nations have in the success of efforts to keep the underdeveloped world's food-population equation in balance, they have not been adequate to the task—beginning with the world's leader, the United States.

The reasons are that we have practiced family planning on a private basis and thus have no experience in the kind of nationwide programs needed in other parts of the world; we have regarded birth-control techniques as a publicly "unmentionable" subject, and we have been ultra-sensitive to religious sensibilities.

On the religious score, among the two-billion-plus people in the underdeveloped world, Buddhism, Hinduism and Islam predominate, and none of them bans mechanical or chemical birth-control methods.

The Roman Catholic Church is re-examining its position, though it still opposes methods other than periodic or total abstinence. In Catholic-dominated Latin America, however, six nations now have family-planning programs and several others have unofficial but government-supported activities.

Generally in Latin America and Africa things have moved from the whispering stage to the talking-out-loud stage, but are only slowly getting into action. In Costa Rica, the Ministry of Public Health is only accumulating population data—while the nation's 1.4 million population grows 4.5 per cent yearly, en route to doubling to 2.8 million in only 16 years.

In Asia, where population pressure is most intense and the war between food supply and people fiercest, some governments are pursuing family-planning programs. Communist China has a program that ranges from advocating late marriage to the distribution of "the pill" and the insertion of intra-uterine device (IUDs).

India, in an effort to cut the annual population growth rate from 2.4 per cent to 1.6 per cent by 1975, has set up thousands of clinics and "camps" to provide IUDs by the millions. The voluntary response has been so large that health workers are swamped in some states.

Nationalist China, South Korea, Pakistan, Ceylon and others have all made energetic starts. The results cannot yet be measured. But one thing seems sure: there is a widespread desire for outside help. And as so often in the postwar world, the hand is outstretched toward the United States.

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POPULATION CONTROL: THE RACE AGAINST TIME—III

WASHINGTON, March 16.—In less than a decade U.S. policy on population control has done a complete about face.

As President in 1959, General Eisenhower said it wasn't the "business" of our government to interfere in other nations by advising them on family planning. Six years later he had changed his mind and urged the Federal Government into action with the statement:

"If we now ignore the plight of those unborn generations which, because of our unreadiness to take corrective action in controlling population growth, will be denied any expectations beyond abject poverty and suffering, then history will rightly condemn us."

The Congress in 1965 amended the foreign aid and Food for Peace bills to enable the Administration to "promote and support" family-planning programs overseas. President Johnson has spoken out repeatedly on the urgency of the problem.

Yet vigorous action has been lacking in the Executive Branch.

Secretary of State Rusk, under Congressional pressure, has named a Special Assistant for Population Matters, an able and enthusiastic man, Philander P. Claxton, Jr. But his main task is trying to sell the importance of the worldwide population problem to his high-level colleagues.

Last December Rusk sent a classified cable to all ambassadors urging them to inform themselves on the subject and encourage family-planning programs in their assigned countries.

But this is not going far enough fast enough, in the view of population experts, and in view of the demand.

"This problem has to be fought like a war," said General William H. Draper, Jr., Chairman, Population Crisis Committee of Washington. "Or like the Marshall Plan. Nobody has stated the problem better than the President. But nothing much seems to be done."

The Agency for International Development (AID), with only 12 people working full time on population matters, has been timid and sluggish. The only place it has given significant aid is in Turkey, in the form of jeeps for family-planning workers. That accounts for nearly half its $8.9 million population budget for fiscal 1967.

Now, shortly, under a new Office of the War on Hunger, there will be an expanded Population Service. The present staff of three officers will be authorized to add 14 new ones. With more than double the 1967 budget allotment, the Population Service will be able to expand its research, technical aid and information services.

Even so, according to population experts, there is also a need for family-planning officers at our embassies around the world, to impress host governments with the President's sense of urgency of the task, not just to handle requests for aid but to encourage them.

As links between AID's Population Service headquarters here and the host-country family-planning agencies, these American field officers would assist in meeting the need for training facilities for national and local health officers working in family planning; for materials for radio-TV, film, newspaper and poster campaigns; for vehicles the loudspeakers for use of workers; for the variety of birth-control devices themselves.

In contrast to our expensive economic aid programs, family-planning programs would not be expensive, and the pay-off is great. India estimates eight cents per person would reduce the birth rate from 41 per 1000 to 25 per 1000 in 10 years; South Korea and Nationalist China say five cents and three cents respectively would cut the population growth rate from three per cent to two per cent in five years.

President Johnson said in June, 1965: "Let us act on the fact that less than $5 invested in population control is worth $100 invested in economic growth."

Over a 25 year period, a 50 per cent reduction in fertility would produce a 63 per cent gain in the per capita income of the populace of a developing country.

How much would a big family-planning assistance campaign cost the U.S.? A few hundred million dollars in the next few years, not the billions we're now spending on economic aid. The White House Conference on International Co-operation in 1965 recommended up to $100 million a year in earmarked funds.

The great shortage, population experts agree, is time. "If in 15 years there were to be an additional 200 million people in India, as is predicted," said Dr. Jack Lippes of Buffalo, N.Y., inventor of the Lippes loop, "neither India nor any combination of foreign countries will be able to feed them."

In Latin America, where population grows at 2.8 per cent yearly, the population will double in 25 years if the present trend goes on.

For the next 15 years, to feed the world's zooming population, food production must go up. The people who will need the food are already living—and half the world is now undernourished.

After 1980, the situation will be out of hand, unless reductions in birth rates are brought about now.

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## AIR POLLUTION

Mr. MUSKIE. Mr. President, much of the credit for the accomplishments of the Senate Special Subcommittee on Air and Water Pollution belongs to the ranking minority member, the distinguished

Senator from Delaware [Mr. BOGGS]. He has been a faithful and hardworking member of the committee who has emphasized the importance of finding sound solutions and effective programs for the improvement of the quality of our environment.

The speech which Senator BOGGS delivered on the "Modification of the Clean Air Act," on March 14, 1967, before the National Legislative Conference of the National League of Cities, is typical of the thoughtful and forward-looking contributions which he has made in the course of our work. I ask unanimous consent that the text of his remarks be printed in the RECORD at this point.

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

MODIFICATION OF THE CLEAN AIR ACT

(Speech by Senator J. CALEB BOGGS)

Although air pollution and our weather have a certain relationship, there is an important distinction between the two.

We can't do much about the weather—at least not yet.

We *can* do something about air pollution—and we must.

I use the word "we" advisedly and very sincerely. The federal government can't lick air pollution. The cities can't. Neither can the states, nor the counties, nor business, nor private groups, nor individual citizens.

Making and keeping our air clean and healthful is a responsibility shared by us all. We depend on each other. Each of us has a role.

In simplest terms, it makes little sense for our nation to churn out vast quantities of goods and services if the very air we breathe reduces the quality of life we can enjoy.

Let me pause right here and offer my congratulations to members of the National League of Cities for their foresight and leadership in holding a national legislative conference like this. It is an opportunity to gather valuable information, to share new ideas, and to make friends with people of similar backgrounds who are facing similar problems.

I might even say that misery loves company, because in leafing through your booklet on National Municipal Policy for 1967, I am reminded all over again of the variety and complexity of problems which you are dealing with as city officials. Cities are caught in the crush of problems which go along with progress and larger populations. I salute all of you for the work you are doing.

It is a personal pleasure as well to see that one of Delaware's outstanding citizens and public officials, Mayor Crawford J. Carroll of Dover, is a member of your Executive Committee.

Different problems may vie for first place in your various communities, but I believe it is a safe bet that air pollution is somewhere near the head of the list and coming up fast.

Air pollution affects the health of your citizens, the attractiveness of your communities, the size of your budgets, and the pocketbooks and convenience of the people who are going to have to change something in their way of living or doing business if air pollution is to be checked.

My intention this afternoon is to outline the problem and its background, then consider the responsibilities involved, and finally talk about what has been done from a Congressional point of view and what some of the choices are for the future.

The problem of air pollution has a particular relevance for cities, of course, because that is where it is most concentrated.

It is in our energetic cities that we have businesses, factories, homes, car-filled streets and other sources of air pollution.

In the United States urbanization has proceeded to the point where nearly three out of four Americans live in an urban area.

I don't need to tell you that there are more of us all the time. We have just under 200 million in this country now. By 1980 the figure is expected to reach 245 million. And by the year 2000 the projection is 330 million people.

Even if these projections don't work out just this way, the fact is clear that the increase in population is going to be tremendous. The relation of more people to air pollution is obvious. Equally as obvious is the fact that we can't make progress by simply trimming down air pollution. We have to reduce it drastically, and keep it reduced, if our increasing numbers of people are going to have healthy air to breathe.

The sum total of the aerial garbage we now are spewing into the air staggers the imagination. This year it is estimated that some 140 million tons of debris will contaminate the American atmosphere. It consists of tiny pieces of carbon, ash, oil, grease and microscopic particles of metal and metal oxides. Also involved are large quantities of carbon dioxide, nitrogen oxides and other gases, plus huge amounts of large invisible but potentially-deadly gases like carbon monoxide.

In truth, we know only in part what is making up air pollution. There is much testing and research to be done to identify the full extent of the threat.

In recent years nature has given us clear warning that something must be done. An instance of temperature inversion over the little Pennsylvania town of Donora 19 years ago kept pressing down on the town a layer of waste gases, zinc fumes, coal smoke and fly ash from the local steel mills, wire factory and zinc and coke plants.

The heavy, grimy smog which resulted killed 20 people and made 5,900 of the town's 14,000 residents ill.

London has since had its killer smogs—in 1952, 1956 and again in 1962.

A ten-day temperature inversion in New York City in 1953 was later estimated to have taken 200 lives. More recently, New York has again suffered from similar sieges.

Smog corrodes, tarnishes, soils, erodes, cracks, weakens, and finally—in some instances—kills.

When I say kills, I am referring chiefly to the hastened deaths of the elderly and those suffering from respiratory ailments like emphysema.

But more recently air pollution has come under definite suspension for making its deadly presence felt in other ways.

For the first time carbon monoxide poisoning has been directly linked to a fatal motor vehicle accident. This was last year in Virginia, where a crash of a truck and a bus killed 9 persons and injured 32 others.

A postmortem test for carbon monoxide content, something which is not usually done, revealed that the truck driver had a hemoglobin saturation level of 8 per cent. According to a Public Health Service study, a level of 5 per cent can impair a driver's ability to think and see clearly.

Just last week, in testimony before the Senate's District of Columbia Committee, a physician specializing in allergies said that auto fumes in Washington can cause the brains of some sensitive people to "almost literally shortcircuit".

"These people may look and act like drunken persons merely from the traffic fumes they breathe," the doctor said.

This is borne up by the report of the World Health Organization that no fewer than 50 percent of the motorists in Paris are "on the threshold of intoxication"—not from wine, but from carbon monoxide.

To sum up the problem, let me quote from a recent magazine ad placed by New York's Citizens for Clean Air, Inc.:

"Tomorrow morning when you get up," reads the ad, "take a nice deep breath. It'll make you feel rotten."

This quick background underscores the fact that air pollution is here and in many instances constitutes an acute problem. It is costing us money, inconvenience, and our good health every day. In a relatively short time the public has become not only aware of the problem but conscious of a sense of urgency. Again, something has to be done.

Who is going to do something about it?

I know you are all familiar with Los Angeles and its severe smog problem. Los Angeles, blessed with a pleasant climate and booming economy, is burdened as well by a chronic temperature inversion situation.

The result of the mighty efforts of Los Angeles to fight air pollution has meant not only a more-tolerable atmosphere for Angelenos, but a trail-blazing example of what other cities can do to cope with the problem.

This was a case of a local community acting with decisiveness to meet an acute situation. Other cities have done likewise. Pittsburgh and its heroic efforts come immediately to mind.

Congress first stepped into the picture in 1955 with the initiation of a federal program under the Public Health Service. Funds were made available for research, technical assistance to states and communities, training of personnel and the development and dissemination of information.

But it was not until 1963, the same year that the Senate Subcommittee on Air and Water Pollution was formed, that a vigorous federal effort was undertaken with passage of the Clean Air Act.

My comments are now in the area of responsibility for meeting air pollution, and therefore, I would like to quote for you two brief paragraphs in the "Findings and Purposes" section which introduces the 1963 Act:

"That the prevention and control of air pollution at its source is the primary responsibility of States and local government; and

"That Federal financial assistance and leadership in essential for the development of cooperative Federal, State, regional, and local programs to prevent and control air pollution."

Let me also quote one other paragraph, Section 105(b) under "Abatement of Air Pollution":

"Consistent with the policy declaration of this title, municipal, State and interstate action to abate air pollution shall be encouraged and shall not be displaced by Federal enforcement action except as otherwise provided by or pursuant to a court order under subsection (g)".

The meaning is clear. As the law now stands, the federal role is one of supplementing, not supplanting, the efforts by state, local and regional governments or commissions.

I agree strongly with this approach. Air pollution—aside from the considerable impact of pollution associated with transportation—is chiefly a local problem. It can be most effectively dealt with at the source.

As your National Policy Statement well points out, however, air currents do not respect political boundaries. This frequently means interstate problems, and the interstate factor accents the role of the federal government. The very nature of wandering air currents makes it natural to pool efforts to meet the common problem. One community can't lick its pollution problem if its neighbor is not taking similar action.

Thus, we see the bi-state New York and New Jersey Commission being formed, with the federal government taking an active part in this cooperative effort.

Nearer my own home, in northern Delaware, there are moves afoot to form a joint anti-pollution effort involving municipal and county governments in New Jersey, Pennsylvania and Delaware. Here again the fed-

eral government is expected to occupy a prominent seat.

This regional commission approach involves difficult questions of coordination, representation and responsibilities.

My State is already part of a compact of states which was formed to deal with joint problems affecting the Delaware River. The Delaware River Basin Compact, as it is known, is made up of New York, Pennsylvania, New Jersey and Delaware.

It is an example of federal-state cooperation and coordination, with the Secretary of the Interior sitting as an equal member of the Commission.

In my opinion this method is well suited for setting up regional commissions dealing with air pollution. I am concerned that the balance in federal-state relations is maintained, and for this reason I would not like to see regional commissions set up on the final decision alone of the Secretary of H.E.W., as is provided in the proposed Air Quality Act of 1967. The affected states and communities should have a bigger voice in the choice of who represents them.

This is not to downgrade in any way the necessity of the federal contribution. And I recognize as well that the urgency of the situation has prompted expansion of the federal role. The federal government brings to the regional commission experience, research and a share of the program's cost.

It will also be able to bring standards of air quality, minimum standards which can be met in a variety of ways, depending on the communities involved.

The present trend of thinking about national standards for air quality illustrates to me how the federal responsibility for the general health of the nation and the local responsibility for coping with the air pollution problem can be effectively coordinated.

We agree that the goal of any air-pollution program is clean, healthful air.

We also agree that sources of pollution will have to be curbed or eliminated if we are to reach this goal.

It is my hope that the Division of Air Pollution will come up with reasonable criteria for ambient air. These criteria would become effective in the regional airsheds designated. Then standards would be set for emissions to meet the desired level of air quality.

These emission criteria would depend largely on the specific characteristics of the area concerned. One might have an inversion problem which would make strict emission controls necessary. Another might have prevailing winds which would make a less-strict control satisfactory.

The result of this approach is to keep constant the standard of air quality but make flexible the methods for achieving it.

In this whole effort the financial contribution of the federal government will surely increase, not only in the area of development of regional, state and local programs, but in the continuation of these programs. Since fiscal year 1965 the federal contribution to the fight against air pollution has totaled $60,488,000, and another $66 million is authorized for fiscal 1968.

I was glad to see that your policy recommendations and the general trend of federal action against air pollution are generally in step, especially as concerns the regional airshed approach.

Your recommendation that model air pollution legislation be developed for local governments is also a good one.

The fact that something can always be done locally to curb air pollution was emphasized strongly to me last week when I learned for the first time that the power plant which serves the Capitol and other Congressional buildings is a prime contributor to Washington's pollution problem.

It has also been known for some time that five miles from the White House is the unsightly Kenilworth dump, where Washington refuse is burned.

In order to encourage businesses to eliminate air pollution, I have joined other Senators this year—as I did in the last Congress—in advocating tax relief for the installation of air pollution control equipment.

This incentive is justified, in my opinion; but on the other hand, I believe it is incumbent on local governments, as well as the federal government, to come up with the clear regulations and tests. It should be possible for industry to install expensive air pollution control equipment with some confidence that it will be effective enough to meet the need for a reasonable period of time.

This tax incentive to combat pollution is not something reserved to the federal government, by any means. Not only would local steps in this direction likely hurry along cleaner air, but it might be a worthwhile inducement for industry to locate in that community.

The matter of inducements reminds me of the cow-puncher who came off a long stretch on the range and promptly proceeded to deplete the stock in the nearest bar. He staggered out of the saloon and saw an old prospector with a mule. Drawing his six-gun, he asked the prospector if he would like to dance. Without waiting for a reply, he emptied his gun at the prospector's feet. Naturally, the prospector danced.

Then the prospector walked over to his mule, took out his rifle, and jammed the barrel against the cow-puncher's belt. This had an immediate sobering influence.

"Son," asked the prospector, "did you ever kiss a mule?"

"No," the cow-puncher gulped, "but I've always wanted to".

At the beginning of my remarks I mentioned that air pollution is a problem we all share, and we all have the responsibility for action.

We want to take that action, I submit, long before we reach an emergency situation like the cow-puncher's.

We in the Congress need your advice and counsel and, again, I appreciate the opportunity of being with you.

## THE OPPORTUNITIES AND RISKS OF FINANCING WORLD PROGRESS

Mr. SYMINGTON. Mr. President, a thorough and thought-provoking speech was delivered recently at a meeting of the Zurich Economic Society by Assistant Secretary of the Treasury True Davis, concerning the economic and military assistance of the United States to other nations.

In connection with economic assistance to the underdeveloped areas of the world, Secretary Davis states:

No single country can, or should it be expected to, carry this burden alone. Every advanced nation has the inescapable duty of contributing its share of the cost.

A number of additional interesting points are made in this speech; therefore, I ask unanimous consent that it be printed in the RECORD.

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

THE OPPORTUNITIES AND RISKS OF FINANCING WORLD PROGRESS

(Remarks by the Honorable True Davis, Assistant Secretary of the Treasury)

It is a great pleasure to return to your Confederation of Helvetian States, for during my stay here as United States Ambassador, I learned much about this great country of yours. I learned about the chemical industry, about the machine tool industry, about your banking industry, and certainly learned much about watch tariffs. But most importantly, I further learned to appreciate the Swiss philosophy of love for freedom and patriotism, for we share these same beliefs in the United States.

Perhaps all of you do not know that when the United States was founded, a large part of its Constitution was "borrowed" from several of your cantonal constitutions and when your Constitution was rewritten in 1848, much of ours was "borrowed" back again.

As the largest Democracy in the world, we salute you and your nation for being the oldest democracy in the world.

I returned to the United States in 1965 as Assistant Secretary of the Treasury, a position which I still hold, but in addition to this responsibility, last year President Johnson appointed me as the United States Executive Director of the Inter-American Development Bank. This has been both a refreshing and a challenging experience. It has brought me into close professional and personal contact with many of the leaders of the developing nations of Latin America and I have had the opportunity to observe, at first hand, the magnitude of the problems these leaders face in attempting to satisfy their peoples' legitimate aspirations for a better life.

I have learned how this Bank has been able, through its loans and technical assistance activities, to make a major contribution towards meeting some of the pressing needs of Latin America. I have also seen how this relatively young institution has served as an effective catalyst in mobilizing substantial resources from among its own members, as well as from a number of the outward looking advanced countries of the Free World, including Switzerland. The Bank's recent sale of bonds in your capital market is an outstanding example of the type of international cooperation a multilateral financial institution can inspire.

Yet for any institution of this type to be successful, it must provide a means of bettering the standard of living of the peoples of these nations, but more importantly, it must offer and opportunity for industrialized nations to further their own trade while they are also offering assistance. In other words, all frontier markets must exhibit proof of performance, for no country is going to invest in a hopeless cause.

Looking back from where we are now, I would assume that 150 years ago, the Mississippi Valley in the United States and the Amazon Valley in South America offered the same opportunity with the same risk of investment. History has shown that the investment placed in the Mississippi Valley made a handsome profit for the investors who were willing to take the risk, and now the Amazon Valley is potentially ready to return a handsome profit to those who are willing to invest there.

In the era of colonialization, commercial interests had a saying that "trade follows the flag." But today, with the increasing independence of nations, this phrase no longer applies. For now, "exports follow investment."

I do not wish to give you the impression that I consider the desire for more rapid improvement in standards of living and for greater progress to be unique to the countries of Latin America. The pressure for progress is an essential characteristic of every country, whether it is classified as advanced and industrialized, or as emerging and less developed. You might be interested to learn in this connection that one of Switzerland's foremost expatriates, who became one of our greatest Secretaries of the Treasury of the United States—Albert Gallatin—conceived a bold program of economic development and public works in America one hundred and sixty years ago as a means of absorbing what was then thought to be an embarrassingly large fiscal surplus.

While circumstances conspired to prevent implementation of Gallatin's proposals, these were direct antecedents of the massive programs for publicly financed improvements which were to take place during the late Nineteenth and Twentieth Centuries and, spiritually at least, antecedents of efforts to lift the standard of living in the less developed countries of the world today.

We should regard these new markets as opportunities to correct our own nations' deficits. This is not a bottomless well in which we are investing our money, but this is a means of capital development within the underdeveloped nations, and can very easily be compared to the economic investment made in Western Europe following World War II.

There are, however, certain elemental differences among nations which distinguish the richer from the poorer. There is, for example, the contrast between hunger and starvation in some areas, as compared to the fully stocked food shops in other areas. There is the contrast between mud huts and disease-ridden hovels on the one hand and shiny new houses and apartment buildings on the other. And there is the contrast between utter despair over not being able to provide sufficient sustenance for children to survive tomorrow, and concern over such matters as the means of financing automobiles or higher education for children.

The job of narrowing such contrasts as these through assistance to the poorer nations of the world is one of the enormous challenges the Free World now faces. To paraphrase a statement by one of our great American Presidents, Abraham Lincoln—the world cannot long endure, one quarter in gratifying opulence and three quarters in grinding poverty. It is clear that the cost of helping to finance the poor nations will never be lower than it is today. It is even more clear that the ultimate costs to the richer nations, if they fail to meet this challenge, will rise in geometric proportions as time goes on.

However, let me state that this is a good investment, and one that we in the United States believe not only offers a proper return, but assists in the all important work of helping needful nations to help themselves.

The burden which the richer nations must assume for this purpose—whether through bilateral assistance programs or through the many multilateral institutions such as the Inter-American Development Bank established to act, in a sense, as trustees in this great endeavor—is a heavy one. No single country can, or should it be expected to, carry this burden alone. Every advanced nation has the inescapable duty of contributing its share of the cost.

In the past, some countries have been forced by circumstances and through default of others to carry a disproportionate share of this burden. For more than a decade following the end of World War II the United States carried most of the burden virtually alone. Gradually, as reconstruction progressed in Europe, we were joined by other Free World countries in this effort. It is of particular interest that the Russians further joined in recognizing this new productive business to the extent that today Russia enjoys a favorable trade balance with practically every country in Western Europe.

At times, as this larger international effort gathered momentum we heard some say that such countries as France were, in fact, devoting proportionally more of their resources to aiding the less developed countries than was the United States. This fallacious reasoning deliberately ignored the fact that the United States has borne, and continues to bear, the lion's share of the unproductive burden of defending economically and militarily freedom all over the world. Particularly as some of these self-styled leaders in foreign aid withdrew into their national boundaries leaving unfulfilled responsibilities in their former colonies and territories. This defense burden must also be counted in adding up the balance. Finally, I am sure you can well appreciate the lonely burden we also bear because of the dollar's role as a key international reserve currency.

While there is very little new that I can say about the need for a more equitable sharing of the burdens—and in particular the burden of financing progress in the less developed countries of the world—I would like to summarize for you the essentials of my government's position on the subject.

First, the Free World needs to find ways and means of meeting the legitimate needs of those developing countries which are doing what they can to help themselves. It is obvious nothing will happen unless it is good for the nations that are willing to make these investments. This is just like a business which is seeking to expand its activities into a new sales area. Business will not make any money on its investment until it has sold its product in the market place. We believe that these investments in developing nations are sound and will ultimately be returned to us through the means of commercial sales and exchange after these countries and markets have been developed.

Second, the burden of doing this—the cost of financing economic and social progress—should be equitably distributed in such a manner that the objective of satisfactory rates of progress in the less developed is achieved, while at the same time the strength of the donor countries—individually and as a group—is preserved.

Third, the success of these efforts depends crucially on maximum cooperation from developed countries individually on the one hand, and on maximum multilateral cooperation and improved multilateral institutions on the other hand.

Who can say what are the legitimate needs of developing nations? These needs are the development of the hopes and dreams of these peoples.

I would mention briefly the recently inaugurated Asian Development Bank which, with a dozen non-regional countries—including your own country—contributing and joining provides an outstanding example of the type of orderly and productive ties which can, with determination and ingenuity, be devised between the advanced and the less developed countries. The Asian Development Bank and the Inter-American Development Bank epitomize the growing movement toward regional cooperation which stems from a realization that progress in every part of the world requires joint enterprises to develop shared sources of wealth.

In his recent message to Congress on foreign aid, President Johnson referred to this movement as springing from a "philosophy of pragmatic regionalism" reflecting the facts of economic life. "Political unity," the President continued, "is neither required nor expected. But the resources available for development are too scarce to scatter among many countries when greater promise lies in joint action. We must take full advantage of the benefits of cooperation."

President Johnson has established "the guiding principles" on which our U.S. programs will be based, and they are:

"*Self-Help.* Nations develop primarily through their own efforts. Our programs can only be supplements, not substitutes. This is the overriding principle.

"*Multilateralism.* Every advanced nation has a duty to contribute to its share of the cost.

"*Regionalism.* The future of many countries depends on sound development of resources shared with their neighbors.

"*Agriculture, Health and Education.* These key sectors are the critical elements of advancement everywhere in the underdeveloped world."

The commercial potential of American agriculture holds the greatest hope for social progress and international welfare of any goal reachable in the Twentieth Century. Investing in world agriculture today to feed the increasing population of the world, offers a greater potential than did the industrial investments of the Nineteenth Century. If nations don't want to take advantage of this type of opportunity, then I feel they are shortsighted.

Further, we will defeat world domination by Communism through food production alone. In fact, one of the major reasons leading to Khrushchev's ouster was his failure to change the Russian diet from starch to protein.

Nations must be on the alert to increase their productivity in all areas, but particularly we must be conscious of food production in this era of predictable world overpopulation. In order to help these younger nations, we are more than willing to have them tap the great research of American agriculture to "seed and breed" to help themselves.

It is my government's firm conviction that countries which are accumulating savings in the form of reserves should, if they are to accept their proper responsibilities, permit public and private capital to flow out to the less developed countries in reasonable magnitudes and on reasonable terms. The surplus countries should share their surpluses by giving multilateral and regional financing institutions liberal access to their capital markets.

This is only a starter, however, and should be followed or accompanied by increased outflows of public capital on liberal terms and technical assistance to the maximum extent permitted by the surplus country's internal and external resources. A policy such as this not only increases the help available to deserving less developed countries, but also contributes substantially to effective global balance of payments adjustment processes which are essential to the continued operation and stability of the international monetary system.

The Report on the Balance of Payments Adjustment Process issued last August by Working Party No. 3 of the OECD's Economic Policy Committee recapitulates these policy considerations, in part, in the following terms:

"It would . . . be desirable for countries in a strong balance of payments position to take advantage of the favorable opportunity to increase their aid contributions, either by facilitating the access of international institutions to their capital market or by other means. It would also be advantageous if countries in a strong balance of payments position could increase the proportion of their aid which is granted on an untied basis and, where possible, undertake reverse tying."

So far, few of the nations in a position to adopt these precepts have, to my knowledge, chosen to do so despite the obvious and increasing urgency of the needs. On the contrary, it is unfortunately still the case that some industrialized nations which are not pulling their fair share of the load, continue to derive substantial net benefits from untied resources being made available through international and regional financing institutions.

For example, in the so-called "hard window" of the Inter-American Bank, there has been made available through the end of 1966 convertible currencies in the aggregate amount of $653 million. Of this amount, the Latin American members of the Bank have provided $173 million and the United States has provided $375 million. Other advanced non-member nations have provided $105 million in the form of funds loaned to the Bank. Against this 16 percent share of the Bank's total Ordinary Capital resources supplied by these nonmember industrialized countries, it should be noted that as of mid-1966 these countries had enjoyed 28 percent of the procurement

business made possible by the Bank's Ordinary Capital lending operations.

The basic inequity of this uneven benefits-contributions relationship for this one institution alone is obvious The question clearly arises as to how long such a situation can be allowed to persist. I suggest that it may soon be necessary to take steps to bring about a better balance, a more equitable balance in the relative cost/benefits ratio of development assistance by limiting procurement to those nations who are investing in the developing countries of the world.

My government, for reasons well known to you, will tailor its foreign assistance programs to rest on the basic strength of the dollar and our balance of payments position.

As regards our policy of administration, our actions in these areas must be approved by our Congress, which means the American public. President Johnson in all of his actions aspires to public acceptability, and let me assure you that the American public is solidly behind his programs. Given our international monetary responsibilities, this must be so and we must continue to ensure that our aid programs have the least possible effect on our balance of payments. The criticisms one hears of our aid policies and in particular of our aid-tying procedures fail to take into any account these broader issues. And they fail to take into account as well the fact that the United States followed a liberal policy in this particular respect over a long period of years when massive amounts of its resources were devoted to the reconstruction of war-torn Europe and to the creation of great multilateral institutions including the International Monetary Fund, the World Bank and the regional development banks which have played, and will continue to play, such an important role in bringing about a more orderly and a better world in which to live.

The United States is willing to take the initiative in forging a bold new concept to enable less fortunate nations to help themselves. No individual or nation desires charity. They want to develop their own economy to become independent, and then prosperous, and in this area we will assist them.

You can rest assured that the United States will continue to carry its fair share of the burden of financing the world's progress requirements. You can rest assured that we will continue to be in the forefront of freedom's battlefields the world over. You can rest assured that we will continue to seek an early successful conclusion to international monetary reform negotiations, designed to guarantee a prosperous and expanding international financial framework for progress. And you can rest assured that we will be equally unremitting in our efforts to ensure that the other great nations of the Free World play their proper and equitable role in all of these great endeavors.

As your forebears fought so valiantly for your freedom in the great battles of Morgarten and Sempach, as did our ancestors in our great battles of Lexington and Yorktown, we are both still primarily interested in the freedom and happiness of mankind. But today, we are involved in an economic war where we are using dollars and francs instead of swords and halberds to defeat our common enemy. We shall withstand the attacks, we shall prosper, and in so doing create a great new and free world for mankind.

## NELSON EDDY

Mr. PELL. Mr. President, a few days ago the Nation lost one of its most popular musical artists who had a very special place in the hearts of the citizens of my State.

Nelson Eddy, who died in Miami last week at the age of 65, was born in Providence, R.I., and began his musical career there with various church choirs. He made his first public appearance at the age of nine with a National Guard band.

Nelson Eddy in many ways typified the dream of many young Americans in the age of Hollywood and mass entertainment. His voice was known to millions, and as he himself discovered, his artistry was sought after because it was traditional.

He frequently returned to our State whenever his busy life permitted, to visit his father, stepmother, and sister who survive him and to whom I extend my deep sympathy.

I ask unanimous consent that I may insert in the RECORD at this point articles from the Providence Evening Bulletin and the Providence Journal regarding Mr. Eddy.

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

[From the Providence (R.I.) Evening Bulletin, Mar. 6, 1967]

SINGER NELSON EDDY DIES AT 65—RHODE ISLAND NATIVE VICTIM OF STROKE

MIAMI, FLA.—Nelson Eddy, the tall, handsome baritone whose voice thrilled moviegoers in the '30s and '40s, died today a few hours after being stricken in the midst of a show at a Miami Beach night club.

Only last week, the 65-year-old Rhode Island native, once the highest paid singer in the world, said that he would continue working "until I drop" because "I love it."

He was at work, singing to some 400 listeners at the Sans Souci Hotel last night, when his voice failed and he was helped off the stage. A Mount Sinai Hospital spokesman said he apparently suffered a stroke.

Mr. Eddy was best known for a series of eight light operatic movies in which he costarred with Jeanette MacDonald, who died two years ago of a heart attack.

Miss MacDonald's soprano voice blended perfectly with Mr. Eddy's rich baritone in such shows as "Naughty Marietta," "May Time," "Rose Marie," "New Moon" and "Sweethearts."

Some of their songs, like "Ah, Sweet Mystery of Life," "Rose Marie" and "Indian Love Call," were so popular that Mr. Eddy still was singing them in the last days of his career.

"Those are what they yell for," he said recently, "and they want them straight. We tried kidding 'Indian Love Call' and they wouldn't stand for it."

Fans often thought that Mr. Eddy and the late Miss MacDonald were married because of the apparent sincerity of their love scenes together. But they were only good friends and strong admirers of each other. Mr. Eddy was married in 1939 to Ann Denitz Franklin.

Mr. Eddy recently returned from three weeks of appearances in Australia with Miss Gale Sherwood, who has been his night club singing partner for 14 years.

Mrs. Thomas Ranahan of Revere, Mass., who was sitting about six feet in front of Mr. Eddy when he was stricken, said his voice suddenly failed.

"Would you bear with me a minute?" she said he asked his audience. "I can't seem to get the words out."

Morton Kirsch, the hotel manager, said Mr. Eddy had just finished a song "and started to go into another when he seemed to lose his memory."

Mr. Eddy turned to his accompanist, Theodore Paxson, and asked, "Would you play 'Dardenella'? Maybe I'll get the words back."

Then he said: "My face is getting numb. Is there a doctor here?"

A doctor in the audience responded and Mr. Eddy was led to his dressing room by Miss Sherwood and Mr. Paxson, who had been his pianist 40 years. After first aid treatment, he was taken to the hospital where he died this morning.

Mr. Eddy sang with the Philadelphia Civic Opera when he was a young advertising copywriter. An appearance in Los Angeles got him into movies in 1933.

His roles with Miss MacDonald placed him in such great demand that his concert price rose to $15,000 and his radio fee to $6,000 for four songs.

Mr. Eddy and Miss Sherwood continually tried to use new songs in their nightclub and theater act, but always the audiences clamored for the old ones. He estimated he had sung "Rose Marie" 6,000 to 7,000 times.

News of the singer's death was telephoned to Rhode Island from Florida this morning by his wife. She called her husband's stepmother, Mrs. William D. Eddy, who lives on High Street, Jamestown, with Mr. Eddy's 91-year-old father. Mr. Eddy also leaves a sister, Mrs. J. Lloyd Brown, a Pawtucket school teacher.

Mr. Eddy was born in Providence, at 96 Hartford Ave. Later the Eddy family lived on Smith Street. The youngster who was to become famous in the theatrical world also attended grade schools in Edgewood and Pawtucket.

As a boy, Nelson sang locally in various choirs. He joined the choir of All Saints' Memorial Church in 1914 and sang with it after making his debut as a boy soprano in St. Stephen's Church Choir and later with the Grace Church singers.

He was coached for his first operatic appearance in New York by the late Dr. Wasili Leps, conductor of the Providence Symphony Orchestra.

He made his operatic debut as Tonio in "Pagliacci" at the Metropolitan Opera in 1924.

His first public appearance was made with the Old Coast Guard Artillery Band, First District Rhode Island National Guard, at Fort Greble in July, 1909. At a concert the nine-year-old boy sang "The Lost Chord" to the band's accompaniment.

His father was drum major of the band, and his grandfather, Isaac "Ike" Eddy, was the bass drummer.

Before becoming a full-time entertainer, Mr. Eddy was a telegraph operator, a shipping clerk, a newspaper staff artist, reporter and copy reader and an advertising agency copy writer. His newspaper career was in Philadelphia on the Philadelphia Press, the Philadelphia Ledger and the Philadelphia Bulletin.

Over the years, Mr. Eddy frequently returned to Rhode Island to visit family members. He last visited the state four years ago when he had a singing engagement in Boston. He corresponded regularly with his father and stepmother, who had planned to go to Florida next week and meet him in Fort Lauderdale.

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[From the Providence (R.I.) Journal, Mar. 7, 1967]

One evening in the early 1930s a Journal-Bulletin reporter was returning to Newport aboard the Jamestown Ferry when a man with an unfamiliar face approached with a question.

"You're from the Journal, aren't you?" he asked Gardner Dunton of Newport, who retired in 1962 after 36 years as a reporter and bureau manager in Newport for the Journal.

Mr. Dunton replied that he was. The man then explained that his son, who had attended Rogers High School in Newport, was returning to Rhode Island in a short time for his first major concert after completing vocal training in Pennsylvania.

The father gave the reporter his son's background and explained that the concert, to be held in Rogers High School, was being

sponsored by the Newport Philharmonic Society, now known as the Newport Civic Music Association.

"He asked for a little publicity, and I wrote about half a column for the Sunday Journal about Newport boy comes home to sing," Mr. Dunton recalled yesterday. However, an editor termed the story "just a lot of publicity for an unknown singer" and refused to run the story, Mr. Dunton said.

Mr. Dunton said he felt like a "prophet without honor" when, about 20 years after the ferry meeting, Nelson Eddy returned to Rhode Island to visit his father and the "front page of the Journal was filled with stories about the great movie star and singer."

William D. Eddy, 91, who had tried to gain "a little publicity" for his son, who died yesterday in Miami, still lives on High Street in Jamestown.

## THE FEDERAL MARITIME COMMISSION CHARTS A NEW COURSE FOR THE ALASKA TRADE

Mr. GRUENING. Mr. President, this week the Federal Maritime Commission has released a report on the Alaska maritime trade which promises to make a significant and entirely beneficial contribution to solution of the critical problems of water transportation long burdening the State of Alaska. The Commission's comprehensive study of water carrier operations in the Alaska trade is a gold mine of information about the carriers involved, service provided to individual communities, rates charged by the carriers and the effects of this on the economy of the State. Further, the Maritime Commission report contains valuable recommendations and suggestions as to what the Commission, the State of Alaska, and other agencies of Government can do to improve transportation services and lower costs of freight shipments. The report also reviews the many changes in transportation patterns to Alaska which have occurred over the last few years and indicates how these may give direction to changes to come in the future.

The plan for an Alaska trade report by the Federal Maritime Commission was announced in October 1964, coincidentally with the conclusion of one of repeated rate increases proceedings which Alaska has been made to endure over the years. Following the unvarying pattern the 10-percent increase in rates at issue was confirmed as lawful, loading yet heavier burdens on the economy of Alaska already overstrained by an abnormally high cost of living.

The rate increase which was confirmed as lawful in October 1964 had been announced by the Alaska Steamship Co., the historic monopoly in the trade, in December 1959 and was allowed to go into effect January 10, 1960, without the suspension urged upon the then Federal Maritime Board by the Alaska congressional delegation and the State of Alaska. Thus, its impact was fully embedded in the economy of the State by the time the Commission gave it final blessing.

In the course of the long and difficult rate proceeding, the State of Alaska demonstrated that on the basis of rates in effect prior to the increase, the Alaska Steamship Co., earned a rate of return on its investment of not less than 13 percent in the 2-year period of 1958 and 1959, and applying realistic depreciation methods, the rate of return was calculated as high as 22 percent in 1958 and 10 percent in 1959. The hearing examiner in the case found that the 10-percent increase would bring Alaska Steamship Co. a return of 19.35 percent and ruled it was unjust and unreasonable. That decision was, unfortunately, overruled by the Commission.

The proceedings disclosed that waterborne freight rates to Alaska had increased 56.4 percent over the decade preceding the 1960 increase. The blight on the struggling economy of the new State resulting from the ever-increasing cost of transportation was recognized as the most seriously adverse of all economic factors affecting its progress.

Despite the clear showing of excessive profits to the water carrier and the direct damage inflicted on the State of Alaska as a result, the Federal Maritime Commission ruled, by a 2-to-2 decision that the 10-percent increase was lawful. Commission Chairman John Harllie and Vice Chairman James V. Day had voted against the increase, but Commissioners Ashton C. Barritt and John S. Patterson voted for it. The fifth Commissioner, George A. Hearn, was disqualified since his appointment had occurred after final argument in the case had been held.

Although Alaskans were not to see a reversal of the ever upward trend of water freight rates in this case, a new spirit at the Federal Maritime Commission was evidenced by the announcement that the agency planned to make the study, now completed, to examine the root causes of Alaska's exorbitant shipping cost and determine what might be done to improve the situation. It was clear then, as it is even clearer now, that Alaska cannot grow and develop if it is forced to submit to one increase in freight rates after another, without hope of relief or hope of escape.

The report now completed diagnoses the complex of diseases afflicting the Alaska trade and recommends remedies. It is now up to Alaskans, agencies of the State and Federal Government and, also, private business enterprise in Alaska, to take a good look at the water transportation problem and go to work to solve it.

As for what the Federal Maritime Commission found, it is explained that this must be described largely in terms of four geographical regions of Alaska, having differing conditions and needs. Southeast, south-central, southwestern, and northwestern ports and communities of Alaska have, each, unique conditions to be considered and somewhat different plans for improvement are indicated.

South-central Alaska, encompassing the ports of Seward, Whittier, and Anchorage serving the largest part of our population, enjoys comparatively lower freight rates and unquestionably more efficient service than does the rest of the State. The reason is apparent. This is the only area of Alaska where the monopoly control of Alaska Steamship Co. has been broken. Shippers have a choice of carrier services and the competition between carriers which has ensued has had the predictable effect of lowering freight rates. Since the inception of the 1960 rate increase for Alaska Steamship Co., service has been introduced into the railbelt of Alaska by Puget Sound-Alaska Van Line, a barge service operated by the Canadian National Railroad, Alaska Trainship—subsidiary of Alaska Steamship Co.—and, giving year-round service to the ports of Anchorage, Sea Land, Inc.

In southeast, southwest, and northwest Alaska, the picture remains discouraging and it is here action must be directed toward improvement. In general, these areas share a common problem in that virtually the only carrier in the trade is Alaska Steamship Co. Using slow outmoded, liberty ships and CIMAVIS left over from the Second World War, Alaska Steamship Co.'s service is inefficient and expensive. No alternative service now exists. Unless this pattern changes, the communities of Alaska dependent on Alaska steam service can look forward to nothing but higher costs of service used to justify higher freight rates.

How high are the rates and what is the effect on the economy?

In the railbelt, where transportation is comparatively efficient, modern and competitive, water freight rates are found to have relatively small impact on the cost of living.

In southeast Alaska, however, where Alaska Steamship Co. serves alone, transportation costs, including terminal charges are excessive and have a corresponding effect on the cost of living. As an illustration, the report says:

> If merchants at Juneau order food products from Seattle, transportation costs on apples, lettuce, flour and potatoes would raise f.o.b. prices 29, 41, 29, and 22 percent respectively. Transportation charges on lumber and cement would raise prices on these items 71 and 100 percent respectively.

In northwest Alaska, ocean transportation, including lighterage costs increase Seattle f.o.b. prices on some food and construction items even more than in southeast and, combined with the merchant's markup, further raise f.o.b. prices approximately 60 percent.

The Federal Maritime Commission report examines in detail the freight charges on individual commodities transported to the port communities of Alaska, describes changes in rate levels occurring over the last several years and compares rates on identical commodities to different ports. Again and again, the striking difference is demonstrated between Alaska Steamship rates to ports where it is the monopoly carrier—southeast and western Alaska—and rates to the railbelt where the company finds itself in competition with other carriers. As the report points out:

> For instance, the carload rates to Anchorage (of Alaska Steamship Company) which cover the water and rail haul and motor delivery on bakery goods, building materials, fresh fruits and vegetables, household goods, radios, liquor, boxes, cigarettes, empty cans and other commodities are lower than Alaska Steam's rates that apply on approximately equal volume shipments to Juneau. Similarly, Alaska Steam's rates to Ketchikan on bakery goods, building materials, radios, liquor, empty cans and other items are higher

than its rates to Anchorage on similar quantity shipments.

As for the rate changes since January 9, 1960—prior to the January 10, 1960, rate increase—the study focuses on 63 specific commodities transported to Juneau and Ketchikan on January 9, 1960, January 10, 1960, and May 1, 1965. At Juneau, of the 63 commodities 26 increased from 1 to 10 percent in the 5-year period; 6 rates increased 10 to 25 percent; 15 rates increased from 25 to 395 percent; and 16 rates decreased from 1 to 52 percent. For example, the transportation cost of fresh fruit and vegetables increased 29 percent; refrigerated fruit and vegetables increased 31 percent; musical instruments increased 394 percent, fresh grapefruit 56 percent, radios 224 percent, gasoline 27 percent, mining machinery 23 percent, roofing 15 percent, and trucks 11 percent. Among products showing decreased costs were coffins—19 percent less—and alcoholic beverages—22 percent less. The sociological implication by these decreases may be cause for speculation.

At Ketchikan, the story is much the same. Eighteen commodities showed increases of more than the general 10-percent rate increase of 1960; 13 commodities showed increases of more than 25 percent; while 22 were below the level of January 9, 1960.

The report points out the increases at Juneau and Ketchikan reflect not only the 10-percent increases of 1960, but, also, the company's change in tariff quotation from weight or measurement to a weight basis on July 1, 1963.

In northwest Alaska, at the ports of Nome and Kotzebue exorbitant shipping costs are aggravated by the lack of port facilities, where cargo must be lightered from the ship's anchorage offshore. In addition to the abnormally heavy cost which results shippers are at a further disadvantage in that Alaska Steamship tariffs do not show lighterage and associated costs of unloading cargo.

Rate levels to the northwest ports of Alaska have increased more in the region than any other in Alaska. On the average, in 1965, Alaska Steamship Co. rates to Nome—not including lighterage—exceeded corresponding rates to the southeast from 47 to 71 percent and to the southwest—Kodiak—by 30 percent.

Since January 1, 1960, two Alaska Steamship Co. rate increases have been inflicted on the northwest communities. As a result, the overall level of rates has increased approximately 20 percent since January 1960. While the Federal Maritime Commission was successful after protracted Commission and court proceedings, in reducing a 10-percent increase to 8 percent and a 20-percent increase to approximately 18 percent in February 1966, the company promptly filed a new tariff, effective April 1, 1966, restoring the full amount of the increase in question. This is now the subject of a rate proceeding before the Commission—Docket No. 66-22 Alaska Steamship Co.—general increase in the peninsula and Bering Sea areas of Alaska.

In southwestern Alaska, the Federal Maritime Commission focused its study on rates to Kodiak, principal port of the area. Here, in comparing rates to Kodiak with tariffs of carriers filed jointly with the Alaska Railroad to Anchorage, it is found that although the Alaska Steamship Co.'s median rate is slightly lower than the joint rate to Anchorage, 45 percent of rates to Kodiak are in excess of the Anchorage tariff.

Again, at Kodiak rate increases since 1960 have resulted in significant tariff changes. Rates have tripled on musical instruments; doubled on cans—of special significance to a growing fishery industry. Fourteen rates of Kodiak have increased since 1960 from 25 to 396 percent; six rates have increased from 10 to 25 percent, while 15 rates decreased.

In general, then, except for the railbelt area, shipping costs in Alaska are going nowhere but up. And still pending before the Federal Maritime Commission for decision is yet another general rate increase of 15 percent, which became effective April 8, 1966.

That the ever-raising costs of transportation inflate the Alaska economy is entirely clear. In presenting the facts on this, the FMC study has examined the impact of high transportation cost on retail prices and the old Alaska legend that—

It is not the freight rates, but merchants who markup the prices that cause such high retail prices.

The Commission finds some truth in the long suspected markup allegation; however, no cause for doubt exists that the basic increase above retail costs in other parts of the United States is the ocean freight charge to Alaskans.

Why does Alaska Steamship Co. charge abnormally high rates? An obvious but insufficient answer is that the company has, for generations, been allowed to get away with it under policies of less conscientious regulatory bodies than that now composing the Federal Maritime Commission. Doubtless, the continued inflation of freight rates results in large part from "public be damned" attitudes of the past. The unhappy history of Alaska's experiences with the Alaska Steamship Co. has been that the public has paid and paid while the owners of this profitable enterprise have made fortunes. Lacking the necessity to compete with other carriers, no impetus was ever given to improve service and, certainly, none to reduce rates.

Aside from regulatory policies affecting freight rates, the FMC study illuminates specific physical causes for high costs of transportation, resulting in higher rates, which can be and obviously should be changed. Among these are:

First. The antiquated, slow—10-knot maximum—Liberty ships and CIMAVs of Alaska Steamship Co. are unduly expensive to operate. Outmoded cargo-handling equipment coupled with rising labor costs increase the expense of time at sea, time in port, and stevedoring.

Second. In southeast Alaska the physical condition of dock facilities—owned by Alaska Steamship Co. at Ketchikan and Juneau, operated by the Alaska Steamship agent at Sitka and Petersburg—make them inadequate to handle increased capacity and preclude application of modern cargo handling methods. Thus, these communities are denied reductions in handling costs that could result from more efficient equipment.

Disparities between handling costs at southeast Alaska ports and those charged by Alaska Steamship Co. at Seattle are enormous and, on the face of it, inexplicable. At Ketchikan and Juneau wharfage and handling costs exceed those of Seattle by 185 percent. These costs are about the same at Sitka. At Petersburg, the disparity between Seattle for costs of handling is in the magnitude of 251 percent.

Certainly, the advice of the Commission staff to the Commissioner that these disparities be investigated is long overdue.

Third. In the western ports of Dillingham, Nome, and Kotzebue, a major cause of high transportation rates, as has been pointed out, is the expense of lightering cargo, which must be paid in addition to steamship costs. To meet this problem, the study recommended more stringent regulation of lightering service, including more effective reporting of rates.

Recommendations of the study of remedies for other basic problems of the Alaska maritime trade include suggestions as to advisable regulatory policies as well as changes in transportation patterns which could bring about lower rates. Major recommendations include the following:

First. New systems of redistribution of cargo in southeast, southwest, and northwest Alaska should be developed. This envisions establishment of trade centers in each area from which cargo would be transferred by small carriers to remote communities where operation of large self-propelled vessels is uneconomic. This would envision the use of faster ships providing service adapted to port facilities and specific needs of small but expanding communities.

Second. The services of transpacific cargo ships traveling from West Coast ports to Japan could be employed to establish a new method of freight handling to the Northwest ports that could eliminate the heavy expense of lightering to such ports as Dillingham, Nome, and Kotzebue. This contemplates the discharge at Dutch Harbor—a diversion from a frequent route traversing the Aleutian Chain at Unimak Pass—of cargo loaded at West Coast ports, pick up of cargo bound for Japan from Alaska and transfer of Alaska bound cargo to barge feeder vessels equipped to serve the Western outposts. The report notes that three American carriers in the transpacific trade—American President Lines, Pacific Far East Lines, and American Mail Lines—have applied to the Maritime Administration for subsidy aid for construction of vessels equipped to perform this kind of service.

Third. To promote more efficient less costly service by Alaska Steamship Co.; the study recommended that, in future rate investigations the FMC examine not only carrier rates, charges, and practices but, also, efficiency of carrier performance to determine whether lower costs can be achieved through greater

efficiency. Otherwise, the same old patterns of increased costs followed by increased rates will repeat itself without change.

Fourth. The jungle of overlapping regulatory systems now seeking to control surface transportation to and within Alaska is explored and the recommendations made that the three agencies involved, FMC, Interstate Commerce Commission, and Civil Aeronautics Board work together to coordinate regulatory actions.

Fifth. Legislation authorizing improved control of terminal rates and charges is recommended. It is proposed that the agency regulating the linehaul carrier exercise jurisdiction, also, over incidental modes of transportation ancillary to the principal cargo movement. This, combined with improved reporting and more stringent regulation could reduce terminal charges and, also, provide shippers with accurate information as to the total cost of a shipment, including terminal charge.

Sixth. It is the unequivocal recommendation of the staff that the desirability of regulation of the Alaska Railroad by the Interstate Commerce Commission be, again, reviewed. Finding that, although Executive Order 11107 authorizes the ICC to find the railroad rates unreasonable, this is meaningless because, among other reasons, the agency is without authority to adjudicate cases involving allegations that the Alaska Railroad's rates result in undue preference or unjust discrimination.

This production of the Federal Maritime Commission staff is an excellent contribution to plans for the progress of Alaska. Now it is incumbent upon all concerned to follow suggestions at hand to remove Alaska's greatest economic problem—the high cost of water transportation.

## LEGISLATIVE PROGRAM

Mr. HARRIS. At the request of the majority leader, I wish to announce that on Monday next, the Senate will consider H.R. 7123, the defense supplemental appropriations bill and that the leadership is hopeful of passage of this bill on that day.

Following the disposition of the defense supplemental appropriations bill, the next order of business will be S. 666, the military procurement authorization bill for fiscal year 1968, ordered reported today from the Armed Services Committee.

## ADJOURNMENT UNTIL MONDAY

Mr. HARRIS. Mr. President, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 5 o'clock and 19 minutes p.m.) the Senate adjourned until Monday, March 20, 1967, at 12 o'clock meridian.

## CONFIRMATIONS

Executive nominations confirmed by the Senate March 16, 1967:

FARM CREDIT ADMINISTRATION

The following-named persons to be members of the Federal Farm Credit Board, Farm Credit Administration, for the terms indicated:

Paul Arthur Dobson, of California, for the term of 6 years expiring March 31, 1971, vice Ralph K. Cooper, deceased.

Millard F. Dailey, of Minnesota, for the term of 6 years expiring March 31, 1973, vice Joe B. Zeug.

# EXTENSIONS OF REMARKS

### Connecticut Girl Wins Top Honors in College Aid Program

EXTENSION OF REMARKS
OF
**HON. WILLIAM L. ST. ONGE**
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
*Thursday, March 16, 1967*

Mr. ST. ONGE. Mr. Speaker, I was very pleased to learn that Miss Judith Ann Mattern, a freshman at Albertus Magnus College in New Haven and who comes from Old Lyme in my district in Connecticut, will be the guest of the Ronson Corp. at the 35th annual convention of the National Association of Tobacco Distributors in New York City. Miss Mattern, the daughter of Ernest Mattern, sales manager of New England Cigar and Tobacco, Inc., of New London, Conn., is the top winner in the NATD's college aid program. Recently she was on the first semester dean's list at Albertus Magnus with the highest average in the freshman class.

The NATD college-aid grants, open to children of full-time wholesale tobacco salesmen, are supported by contributions from NATD manufacturer and supplier members. Started in 1959 with grants to 14 students, such aid is now given to 50 college students. Since 1963 the NATD has also offered scholarships and presently 20 sons and daughters of retailers serviced by NATD wholesale members, are holders of these awards.

This assistance is an excellent example of the growing trend of voluntary corporate educational grants, and I commend the NATD manufacturers and suppliers for the support they are giving to the children of their distributors, dealers, and salesmen. In addition I am proud of the achievements of Miss Mattern, and wish her the best success in her academic career.

### President Johnson Chose Tennessee General Assembly as Forum for Major Foreign Policy Declaration

EXTENSION OF REMARKS
OF
**HON. JOE L. EVINS**
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
*Thursday, March 16, 1967*

Mr. EVINS of Tennessee. Mr. Speaker, the President on yesterday chose the Tennessee General Assembly and the capital city of the Volunteer State to make a major foreign policy address heard around the world.

The President made a strong statement of this Nation's determination to repel Communist aggression in southeast Asia.

In view of the interest of my colleagues and the Nation in general in the Vietnam conflict, I place Capitol Comments, my current newsletter in the RECORD.

The newsletter follows:

PRESIDENT JOHNSON UNDERSCORES NATION'S DETERMINATION IN MAJOR AND HISTORIC POLICY DECLARATION DELIVERED BEFORE TENNESSEE LEGISLATURE

President Johnson's choice of Tennessee and its General Assembly to make a major policy declaration on the Vietnam conflict is a great tribute to the patriotism of the people of Tennessee.

President Johnson obviously chose the General Assembly of our State to make a major declaration of United States determination to win an honorable settlement in Vietnam because he knew the legislators and the people of Tennessee are traditionally committed to the defense of freedom.

The choice of our State for one of the most important statements of the war drew national comment. The New York Times, for example, reported that the President chose the Capitol of Tennessee for his major address on our effort to halt the onrush and spread of Communism in Southeast Asia because of the Volunteer State's "long tradition of patriotism and military pride."

It was also significant that President Johnson—the latest of the Frontier Presidents—paid tribute to Andrew Jackson—the first of the Frontier Presidents. President Jackson was firm when firmness was required—and when the national interest was at stake, Jackson—like Johnson—refused to let criticism deter a national policy when he considered it essential to the national interest.

The Legislature gave the President resounding applause at the crucial points in his speech as he again made it clear that the United States stands ready to negotiate an honorable settlement when North Vietnam has demonstrated its willingness to conduct constructive negotiations.

"In our time, as in Jackson's," the President said, "freedom has its price.

"In our time, as in his, history, conspires to test the American will.

"In our time, as in his, courage, vision and the willingness to sacrifice will sustain the cause of freedom."

The President chose the Capital city of Tennessee to tell the world that the United States has learned its lessons of history and that to fail to halt Communist aggression in Southeast Asia would be to invite decades of the cutthroat, guerilla-type warfare now being waged by the Viet Cong and North Vietnamese against our troops and allied forces in South Vietnam.

"If we falter," the President said, "the forces of chaos would scent victory and